BOARD OF SUPERVISORS - EXHIBIT 6

Board of Supervisors - Project and CEQA Findings

6a: Findings for Conditional Use Permit
6b: Findings for Tract Map 3032
6c: CEQA Findings and Overriding Considerations

Exhibit 6a – Board of Supervisors Findings for Conditional Use Permit
Conditional Use Permit and Tract Map DRC2008-00009 & SUB2010-00060/Topaz

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Aesthetics; Agriculture; Air Quality; Biological Resources; Cultural and Paleontological Resources; Geology, Greenhouse Gas Emissions, Mineral Resources, and Soils; Hazards and Hazardous Materials; Noise; Population and Housing; Public Services, Utilities, and Service Systems; Transportation and Circulation; Water Resources; and Land Use and Recreation. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetics, Agriculture, Land Use and Recreation, Noise, and Transportation and Circulation. See Exhibit 6c for specific CEQA Findings and overriding considerations.

Conditional Use Permit

B. The Proposed Project or use is in agreement or harmony with the terms of the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is compatible with the objectives, policies, general land uses and programs specified in the Plan.

C. As conditioned, the Revised Project or use satisfies all applicable provisions of Title 22 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because, during construction and operations, numerous conditions are required relating to worker safety protection and neighborhood compatibility to address air quality, noise, hazardous materials, water use, and traffic safety. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The Proposed Project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because: the affected agencies with oversight of the surrounding roads (i.e., Caltrans, County Public Works, California Valley CSD) have been consulted on potential impacts, and the means in which to provide for adequate safety and capacity needs during construction and operation have been included as part of the conditions of approval. These project conditions of approval address the relevant issues raised from these outside agency consultations.

F. Per the requirements of California's SB 610, the County has prepared a Water Supply Assessment for the Topaz Solar Farm Project ~~California Valley Solar Ranch Project~~ and included this Water Supply Assessment in the Final Environmental Impact Report prepared and certified for the project per the California Environmental Quality Act. (See Final EIR Chapter C.15 and Appendices 16 and 19.) Per California Water Code Section 10911(c) and taking into account the mitigation measures included in the SB 610 Water Supply Assessment, Section C.15 of the Final EIR, Revised Conditions of Approval (Exhibit 5) and

the Mitigation, Monitoring and Reporting Plan (Exhibit 7), the County acting as the lead agency under CEQA and as the entity required to perform the water supply assessment for this project under SB 610, determines and finds that water supplies of the Carrizo Plain Groundwater Basin are and will be sufficient to satisfy the water demand of the Topaz project as well as the water demand from existing and planned future uses. Per California Water Code Section 10910(c)(4), the County finds such water supplies are and will be sufficient during normal, single-dry and multiple dry water years during a 20-year projection.

G. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project area, as well as the immediate surrounding areas are zoned Agriculture and support a mixture of low intensity agricultural activities, and very sparsely scattered residential uses. Given the existing zoning, physical conditions (e.g. climate, water availability), and pattern of large lot parcels, these uses are not expected to significantly change or intensify in use. The project is an allowed use in the Agriculture land use category and has been conditioned to minimize impacts to surrounding uses. Upon completion, the project will not affect the use of any surrounding properties.

Exhibit 6b – Board of Supervisors Findings for Tract 3032

Conditional Use Permit and Tract Map DRC2008-00009 & SUB2010-00060/Topaz

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Aesthetics; Agriculture; Air Quality; Biological Resources; Cultural and Paleontological Resources; Geology, Greenhouse Gas Emissions, Mineral Resources, and Soils; Hazards and Hazardous Materials; Noise; Population and Housing; Public Services, Utilities, and Service Systems; Transportation and Circulation; Water Resources; and Land Use and Recreation. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetics, Agriculture, Land Use and Recreation, Noise, and Transportation and Circulation. See Exhibit 6c for specific CEQA Findings and overriding considerations.

Tentative Map

B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable ordinance standards and is being subdivided in a consistent manner with the Agriculture land use category.

C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.

D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances

E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of the proposed solar generation facility.

F. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the proposed subdivision will not create additional properties, but rather combine existing legal and illegal lots to allow for the development of the proposed solar generation facility. Environmental impacts for the proposed solar facility are discussed in the proposed Environmental Impact Report and CEQA findings which are also being adopted as a part of this proposed Tract Map.

G. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

H. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Exhibit 6c - CEQA Findings and Overriding Considerations

Conditional Use Permit and Tract Map DRC2008-00009 & SUB2010-00060/Topaz

I. PROJECT DESCRIPTION

The ~~Revised~~Proposed Project is a 550-megawatt (MW) photovoltaic solar power plant on land zoned "Agriculture" on the Carrizo Plain in eastern San Luis Obispo County. The project would include solar arrays that would cover approximately 3,500 acres, overhead on-site power lines, underground collector lines, an electric substation and switching station, a monitoring and maintenance facility, and a solar energy learning center. The original Proposed Project, ~~Revised~~Proposed Project, and alternatives are described in more detail in the Topaz Solar Farm Project Final EIR, and Appendices thereto.

The County of San Luis Obispo Staff Recommended Alternative (for which these CEQA Findings are prepared), or '~~Revised~~Proposed Project', is a reconfiguration of one of the project alternatives that was analyzed in Section E.3.4 of the Final EIR. This alternative ("Alternative 3B.1 Reduced Acreage (No WA Lands/Biology)"), when compared to the original project, reduces the use of native annual grassland habitat to facilitate wildlife movement, avoids all lands under Williamson Act contract, and has a smaller overall footprint while producing the same amount of power. The ~~Revised~~Proposed Project would reduce significant cumulative impacts to special status species and the wildlife corridor for the San Joaquin Kit Fox to a less than significant level, with the implementation of mitigation measures and the implementation of the mitigation land package.

The ~~Revised~~Proposed Project is described in more detail in the staff report accompanying these findings.

II. THE RECORD

For the purposes of CEQA and the Findings IV-VII, the record of the ~~Planning Commission~~ Board of Supervisors relating to the application includes:

1. Documentary and oral evidence received and reviewed by the Planning Commission and the Board of Supervisors during the public hearings on the project.
2. The Topaz Solar Farm Project Final EIR (March 2011).
3. The Topaz Solar Farm Project Conditional Use Permit application and supporting materials.
4. The Topaz Solar Farm Project Staff Report prepared for the Planning Commission and the Board of Supervisors.
5. Study Session
6. Matters of common knowledge to the ~~Commission~~ Board of Supervisors, which it considers, such as:
    a. The County General Plan, including the land use maps and elements thereof;
    b. The text of the Land Use Element;
    c. The California Environmental Quality Act (CEQA) and the CEQA Guidelines.
    d. The County of San Luis Obispo Environmental Quality Act Guidelines;
    e. The County Annual Resources Summary Report;
    f. The Clean Air Plan;
    g. The SLO County Public Facilities Financing Plan;
    h. The Countywide Settlement Pattern Strategy Phase 1 and 2 Reports;

i. The Countywide Smart Growth Ordinance;

j. The Countywide Growth Management Ordinance;

k. Other formally adopted County, State and Federal regulations, statutes, policies, and ordinances;

l. Additional documents referenced in the Final EIR for the Topaz Solar Farm Project.

III. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The ~~Planning Commission~~ Board of Supervisors certifies the following with respect to the Topaz Solar Farm Project Final EIR:

A. The ~~Planning Commission~~ Board of Supervisors has reviewed and considered the Topaz Solar Farm Project Final EIR.

B. The Final Environmental Impact Report for the Topaz Solar Farm Project has been completed in compliance with the California Environmental Quality Act.

C. The Final Environmental Impact Report, and all related public comments and responses have been presented to the ~~Planning Commission~~ Board of Supervisors, and they have reviewed and considered the information contained in the Final Environmental Impact Report and testimony presented at the public hearings prior to approving the Topaz Solar Farm Project .

D. The Topaz Solar Farm Project Final EIR reflects the independent judgment of the ~~Planning Commission~~ Board of Supervisors, acting as the lead agency for the project.

IV. ABSENCE OF SIGNIFICANT NEW INFORMATION

A. The Board of Supervisors recognizes that the Final EIR incorporates information obtained and produced after the Draft Environmental Impact Report (Draft EIR) was completed, and that the Final EIR contains additions, clarifications, and modifications. The Board of Supervisors has reviewed and considered the Final EIR and all of this information, including the two memos with attachments dated April 12, and April 28, 2011 considered by the Planning Commission, and the three appeals on the Planning Commission's decision to approve the project. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the Final EIR under CEQA. The new information added to the Final EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure considerably different from others previously analyzed that the Applicant declines to adopt and that would clearly lessen the significant environmental impacts of the Proposed Project. The Draft EIR was not inadequate or conclusory in nature such that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.

B. Based on the above finding, the Board of Supervisors finds that the changes and modifications made to the Final EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5.

C. Revisions to the Proposed Project to require options to the proposed on-site Solar Energy Learning Center and to provide for development and funding for a renewable energy education center, or provide payment to the County toward maintenance of the

Simmler Community Building do not require further environmental review or recirculation of the Final EIR at this time because a Solar Energy Learning Center was considered as one of the project components and the provision of $350,000 is merely a funding mechanism and does not qualify as a project. Funding of an off-site renewable energy education center (if not located ~~not~~ on the project site) does not commit the County to any particular project or eliminate the County's ability to require additional environmental review and impose mitigation measures once an off-site center concept is developed. Therefore, the Board of Supervisors finds that no additional or supplemental environmental review is required for the options proposed for the Solar Energy Learning Center under Public Resources Code section 21080 or CEQA Guidelines section 15352.

IV. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT (Class III)

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant.

A. Aesthetics (Class III)

1. **Impact AE-1 Visibility of construction activities, equipment, and night lighting (Portions are Class III).** This impact category also includes Class II impacts and when considered together with the over 3,500 acres of solar arrays, the overall impacts would be significant (See discussion under the Class II section below). However, several sub-components of the Solar Farm Project would individually not create significant impacts. These include grading and laydown areas.

B. Agricultural Resources No Class III impacts for ~~Air Quality~~Agriculture were identified

C. Air Quality (Class III): No Class III impacts for Air Quality were identified

D. Climate Change (Class III)

1. **Impact CC-1: Construction, operation, maintenance, and inspections of the solar power plant would generate emissions of greenhouse gases.** Construction of the solar generation facility would cause greenhouse gas (GHG) emissions through construction activities, operational activities like maintenance and inspection, land use conversion, and other one-time (life-cycle) events. During construction, the ~~Revised~~Proposed Project would emit less MTCO2e than Options A and B, due to a smaller footprint and a corresponding reduction in earth-disturbing activities. Operation, maintenance, and inspection emissions of 446 MTCO2e/year over the operating lifetime of the ~~Revised~~Proposed Project and would mostly consist of CO_2 from use of gasoline, diesel, and propane for maintenance and employee vehicles. Electrical equipment could also leak SF_6. Greenhouse gas emissions from land use conversion (removing native soils and vegetation that currently provide a natural carbon sink) would be negligible. Life-cycle events – such as manufacturing, transport, and ultimately disposal of project components – would result in a total of 18,320 MTCO2e.

   Meanwhile, indirect GHG emission reductions would also occur because the energy output provided by the ~~Revised~~Proposed Project would replace emissions from fossil-fuel fired plants, for a net life-of-project GHG reduction of over 352,826 MTCO2e/year, which is greater than the estimated emission generation to construct and operate the project. Therefore, the GHG impacts are less than significant. (Class III)

2. **Impact CC-~~3~~5: Project would contribute to cumulatively considerable greenhouse gas emissions impact when combined with impacts from past, present, and reasonable future projects.** The ~~Revised~~Proposed Project alone would not be sufficient to induce or substantially affect global climate change. Short-term emissions of greenhouse gases during construction would be offset over the operational life of the ~~Revised~~Proposed Project because the solar power generated would indirectly reduce existing GHG emissions from power plants. Therefore, when combined with other cumulative projects, the contribution of the ~~Revised~~Proposed Project to cumulative impacts related to climate change and greenhouse gas emissions would be marginal (Class III).

E. Biological Resources (Class III)

1. **Impact BR-5: Corona noise and EMF could result in disturbance to wildlife.** Operation of electrical transmission lines generates corona, a noise generally characterized as a crackling, hissing, or humming sound. The ~~Revised~~Proposed Project would not provide an audible source of corona noise. Audible noise in the form of a hum and electromagnetic fields (EMF) would also occur from the individual solar array inverters in the ~~Revised~~Proposed Project. Inverter noise levels at 10 feet could be as high as 79 dB. However, the inverters would be housed in steel and concrete enclosures, and would not present these levels of audible noise outside the containers. The corona noise and EMF produced by the ~~Revised~~Proposed Project would not result in a significant impact (Class III). No mitigation is required.
2. **Impact BR-19: The project would result in the loss of special-status plant species.** The ~~Revised~~Proposed Project would result in direct impacts from construction and operation on special-status species, including direct loss of species. Ferris' goldfields, Salinas milk-vetch, oval-leaved snapdragon, and Paso Robles navarretia are CNPS List 4 species, indicating a limited distribution, but with low vulnerability or susceptibility to threats at the present time. These species do not represent unique or rare populations and do not occur at the margins of their known ranges. Therefore, impacts of the ~~Revised~~Proposed Project to these species are considered Class III, adverse, but not significant and no mitigation is required.
3. **Impact BR-28: The project could result in transmission line strikes by special-status bat species.** Several species of bats are known to occur in the project area. The most likely collision risk for bats is associated with vehicle or equipment as bats forage near roads or work areas. The number of fatal strikes resulting from the ~~Revised~~Proposed Project is expected to be insufficient to substantially reduce the population of bat species in the project area. Project impacts resulting in collision with the collection or transmission lines ~~for the Solar generation facility~~ of the ~~Revised~~Proposed Project by special-status bat species are expected to be Class III, adverse, but less than significant and no mitigation is required.
4. **Impact BR-32: The project would result in the alteration of movement patterns for tule elk.** Modeling results show that the ~~Revised~~Proposed Project site is occupied by areas of medium to high permeability for tule elk. To provide for wildlife movement, the ~~Revised~~Proposed Project provides movement pathways to facilitate access through the project site. With the inclusion of movement pathways and based on the absence of elk on the ~~Revised~~Proposed Project site, impacts to this species are expected to be adverse, but less than significant (Class III).
5. **Impact BR-33: The project would interfere with established bird and bat migratory corridors.** There are no known bird or bat migratory corridors that would be directly

impeded by the ~~Revised~~Proposed Project. Although large numbers of migrating raptors occur along the Temblor Range, these raptors primarily follow ridgelines oriented north/south. There are few such areas in the ~~Revised~~Proposed Project vicinity and none with a bottleneck that would result in large concentrations of migrants. Furthermore, bats are expected to avoid transmission lines because they can detect objects as small as 0.4 to 0.004 inches in size through echolocation (Vaughan and Vaughan, 1986), and the size of guard lines and transmission lines is typically greater than or equal to 0.5 inches in diameter. Therefore, the impact to bird and bat migratory corridors from the ~~Revised~~Proposed Project would be considered Class III, adverse but less than significant.

F. Cultural Resources (Class III)

1. **Impact CR-1: Construction of the project would cause an adverse change to known cultural resources.** With the avoidance of a prehistoric site, no demolition, removal, or loss of context of prehistoric resources would occur. While the ~~Revised~~Proposed Project would require the removal of pre-1955 farmstead/ranch structures, based on a literature review and site survey, none of the structures are eligible for listing in the California Register. Consequently, the project would not result in the demolition, removal, or loss of context for historic resources. Any impacts would be considered Class III, adverse, but less than significant.

2. **Impact CR-3: Operation of the Project would cause impacts to cultural resources or Native American practices.** No prehistoric sites, Traditional Cultural Properties (TCPs), human remains, historical, or architectural resources have been formally identified within the archaeological Area of Potential Effects (APE) for the ~~Revised~~Proposed Project. Project operations and maintenance and the long-term presence of the ~~Revised~~Proposed Project would likely not impact archaeological or architectural resources. The disruption of dark night sky could disturb Native American religious practices, however, nighttime lighting impacts, as discussed in Section C.2 (Aesthetics), were found to be less than significant. Therefore, the ~~Revised~~Proposed Project would not significantly impact the night sky nor disturb Native American religious practices. The ~~Revised~~Proposed Project would result in Class III, adverse but less than significant impacts with regards to cultural resources or Native American practices.

G. Geology, Mineral Resources and Soils (Class III)

1. **Impact GE-4: Project would expose people or structures to potential substantial adverse effects as a result of problematic soils (e.g. corrosive or expansive soils, or collapsible soil).** Soil testing conducted as part of the geotechnical investigation conducted for the ~~Revised~~Proposed Project indicates that soils underlying the solar arrays, substation, O&M building, and Solar Energy Learning Center, are moderately to severely corrosive to steel, are aggressive to copper, and are expansive. With the inclusion of the design recommendations from the ~~Revised~~Proposed Project geotechnical report in the final project designs, soil-related impacts would be minimized, resulting in a less than significant impact (Class III).

2. **Impact GE-6: Project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.** The ~~Revised~~Proposed Project would include construction of an onsite septic and leach field for wastewater disposal for the O&M building and the Solar Energy Learning Center. Based on implementation of APM Was-1 as part of the ~~Revised~~Proposed Project and adherence to

County septic system design requirements, impacts related wastewater disposal would be less than significant (Class III).

H. Hazards (Class III)

1. **Impact HZ-2: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.** No schools are located within one-quarter mile of the Solar generation facility site, and the PV modules ~~do not~~ contain ~~acutely toxic substances (such as cadmium)~~ cadmium telluride (CdTe) and a smaller amount of cadmium sulfide (CdS), which ~~will be~~are both fully encapsulated in the PV modules. However, Carissa Plains Elementary School (located next to Highway 58) is located 0.33 miles from the ~~Revised~~Proposed Project. APM HAZ-1 would ensure that modules damaged or broken during construction and throughout the project's life are discovered quickly, handled properly, and are recycled into new modules or other products. Additionally, Mitigation Measure HZ-1.6 will require the submission and approval of a recycling and disposal plan and submittal of information disclosing the financial health of the module recycling funding instrument. Together these measures should mitigate the potential for severely broken modules during installation or operation, to release significant quantities of CdTe. Therefore, the risk of emissions of acutely hazardous materials in the vicinity of a school would be less-than-significant (Class III) based on the low likelihood of significant CdTe release at the site, and the extremely low likelihood of off-site migration of released CdTe.

I. Land Use and Recreation (Class III)

1. **Impact RC-1: Construction activities would temporarily reduce, disrupt or preclude access and visitation to established recreational areas.** There are no County-owned recreational facilities within or in close proximity to the ~~Revised~~Proposed Project. Therefore, no impacts to local public recreational areas would occur due to project construction. Construction-related activities, primarily in the capacity of temporary road restrictions along Highway 58 (e.g., temporary lane closures or slow vehicular traffic for the transport of construction-related equipment and materials), could periodically increase the length of time needed for visitors to enter or exit the CPNM. However, the increased duration of visitor vehicle trips would not occur continuously and would not be expected to substantially reduce, disrupt or preclude CPNM access or visitation. With implementation of the mitigation measures presented in Section C.14 (Transportation and Circulation), impacts would be adverse but less than significant (Class III).

J. Noise (Class III)

1. **Impact NS-2: Construction activity would temporarily cause excessive groundborne vibration or groundborne noise.** Construction activities would result in some minor amounts of groundborne vibration resulting from the use of impact pile driving; however, such groundborne noise or vibration would attenuate rapidly from the source and would not be perceptible outside of the construction areas. As such, the ~~Revised~~Proposed Project would result in Class III, adverse but less than significant impacts in regards to groundborne vibration and/or noise.

2. **Impact NS-3: Permanent noise levels for adjoining areas would increase due to operation of project-related stationary noise sources above levels existing without the project.** The Solar generation facility would result in installation of up to ~~7~~ 9 million Photovoltaic (PV) modules with associated electrical equipment, such as inverters, as

well as electrical equipment at the proposed substation. Each of these components would be a new stationary source of noise. Comparison of operational noise levels to the ambient noise levels in the project area, shows that the permanent daytime noise levels in the project area would not increase by more than 10 decibles (dB) as a result of operating the PV arrays and associated inverters and transformers. In additon, the operational noise levels resulting from the substation would be low. Therefore, the ~~Revised~~Proposed Project would result in Class III, adverse but less than significant impacts resulting from the above identified operational noise.

K. Population and Housing (Class III)

1. **Impact PH-3: Presence of the project would decrease property values.** The ~~Revised~~Proposed Project would introduce new industrial structures over thousands of acres of undeveloped and grazing land that is partially surrounded by scattered rural residences in the California Valley area. Therefore, aspects of project construction and/or operation and maintenance could potentially affect private property values. However, the effects of energy facilities on property value are only one of many factors affecting the property value, and have a generally smaller effect compared to these other relevant factors that drive property values such as neighborhood features, square footage, size of lot, and water availability.

L. Public Services, Utilities, and Service Systems (Class III): ~~No~~ Class III impacts for Public Services, Utilities, and Service Systems ~~were identified.~~ are discussed in L(2) under the Class II impact discussion.

M. Transportation (Class III)

1. **Impact TR 1: Project implementation would increase vehicle trips to local or areawide circulation system or reduce existing "Levels of Service" on public roadway(s).** See discussion of Class III operational impacts in M (1) under the Class I impacts

2. **Impact TR 3: Project implementation would conflict with adopted policies, plans, or programs supporting alternative transportation modes (Class III).** The Regional Transportation Plan (RTA), which is prepared by the San Luis Obispo Council of Governments (SLOCOG), contains goals and objectives for alternative transportation modes. The purpose of the RTA is to ensure that implementation of development projects would not reduce the potential for use or development of alternative modes of transportation. The ~~Revised~~Proposed Project would not involve construc¬tion of new transportation facilities or substantial alteration of existing transportation facilities. While the ~~Revised~~Proposed Project would not further policies or programs that support alternative transporta¬tion, it would not conflict or hinder implementation of such policies. Therefore, the ~~CVSR~~ ~~Revised~~Proposed Project would not conflict with adopted polices, plans, or programs supporting alternative transportation (Class III).

N. Water Resources (Class III)

1. **Impact WR-3: Construction activity and excavation could degrade water quality due to erosion and sedimentation.** Earth-moving activities including grading and clearing of vegetation, such as would occur during construction of the ~~Revised~~Proposed Project, would have the potential to result in soil erosion and sedimentation that could affect water quality. APM WQ-1 would ensure that restoration of on-site drainages would occur, while APM WQ-2 would ensure that erosion control measures are implemented during project construction to prevent the flow of sediment downstream. Implementation

of these APMs would ensure that any adverse impacts would be reduced to be less than significant (Class III).

VI. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE (Class II)

Class II impacts are those which are significant, but they can be mitigated to insignificance by implementation of certain mitigation measures.

A. Aesthetics (Class II)

1. **Impact AE-1: Visibility of construction activities, equipment, and night lighting.** Construction of the ~~Revised~~Proposed Project would require temporary construction staging and parking areas that would be visually incompatible with the surrounding environment. Opaque fencing and setbacks recommended as mitigation would address the impact. Additionally, area lighting and vehicle headlights would contribute to glare and ambient off-site night lighting. APM Aes-2 and recommended mitigation would control construction lighting. Use of vehicles and construction equipment and ground-disturbing activities would create dust visible from Highway 58 and beyond. The Applicant proposes to apply soil binders during construction to reduce this impact, and mitigation would further address dust control. With the implementation of mitigation, these impacts would be significant, but can be reduced to be less than significant (Class II).

   a. Mitigation –

   MM AE-1.1 - Opaque Fencing of Section 35 Laydown Area. Prior to issuance of construction permits, the Applicant shall include opaque fencing on construction plans and submit to the County Department of Planning and Building for approval. The Applicant shall install temporary fencing around the laydown area in the southeast portion of Section 35, north of Highway 58. The fencing shall include slatting or other opaque screening on the south fenceline, in a light, non-reflective, natural color to blend with the visual foreground. This fencing shall remain for as long as the laydown area is used for construction.

   MM AE-1.2 - Setback for Construction Parking Lots. Prior to issuance of construction permits, the Applicant shall include 500-foot setbacks for temporary construction parking on construction plans and submit to the County Planning and Building Department for review and approval. During construction, temporary construction parking shall be set back from Highway 58 and any residents by at least 500 feet to minimize disturbance of the visual foreground of sensitive viewers.

   MM AE-1.3 - Minimize Construction Lighting. Prior to issuance of construction permits, the Applicant shall show night lighting for construction and parking areas on construction plans and submit to the County Planning and Building for review and approval. Night lighting of construction and parking areas shall be minimized in both brightness and extent to the maximum extent possible, and consistent with the safety needs of the facility. All lighting shall be shielded, with all direct lighting limited to within the parking or construction area, and with no upwardly directed lighting.

   MM AQ 1.2 - Develop Construction Activity Management Plan (CAMP). Prior to issuance of permits and commencement of construction/ground disturbing activities and prior to decommissioning, the Applicant shall develop a Construction Activity Management Plan (CAMP) and submit it to the San Luis Obispo County APCD for APCD review and approval, at least three months before construction activities are to

begin. This shall include verification by the County of APCD's approval prior to construction permit issuance.

MM AQ-1.3 - Reduce Fugitive Dust. Prior to issuance of construction permits and during construction/ground disturbing activities and decommissioning, measures to reduce fugitive dust emissions shall be implemented. They include reducing the amount of disturbed areas; watering to prevent airbone dust; installing permanent and interim revegetation; soil stabilization; paving roadways, driveways, and sidewalks; limiting vehicle speed on unpaved roads; covering and washing vehicles; street sweeping; and designating a person to monitor emissions and implement measures. There are additional measures to minimize personnel and public exposure to potential Valley Fever–containing dust, as detailed in the Final EIR.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive evidence** – Please refer to pages C.2-11 to C.2-12 and E-24 of the Final EIR.

B. Agricultural Resources (Class II)

1. **Impact AG-12: Construction activities would temorarily interfere with active agricultural operations.** Temporary components of the ~~Revised~~Proposed Project's construction would occur on lands currently used for dry-grain farming and grazing operations. Mitigation is recommended to minimize ground disturbance and interruptions to agricultural operations. With the implementation of this mitigation, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to agricultural resources.

   a. **Mitigation** –

   MM AG 1.1 – Construction Timing Plan. Prior to commencing construction and ground disturbing activities, the Applicant shall submit a Construction Timing Plan that shows the work progression of construction activities. The intent of this measure is to document how construction activities will be carried out to minimize disruption to existing agricultural operations in the project area. Coordination with adjacent property owners shall be conducted to coordinate timing of construction activities and to document that communication of the anticipated construction schedule has been provided to surrounding property owners. The purpose of the communications with adjacent property owners will be to (1) schedule construction activities so as to minimize disruption to agricultural operations; and (2) ensure that any areas damaged or disturbed by construction are restored to a condition that closely approximates conditions prior to disturbance.

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to pages C.3-17 through C.3-18 and pages E-23 through E-25 of the Final EIR.

C. Air Quality (Class II)

1. **Impact AQ-1: Construction activities would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.** Fuel combustion and exhaust from

construction equipment, vehicle traffic, temporary facilities, grading, and use of toxic materials would result in emissions of organic gases (ROGs), nitrogen oxide (NOx), carbon monoxide (CO), respirable particulate matter (PM10), fine particulate matter (PM2.5), sulfur oxides, and toxic diesel particulate matter (DPM). The ~~Revised~~Proposed Project would generate emissions exceeding the designated San Luis Obispo County Air Pollution Control District (APCD) thresholds for criteria pollutants and DPM. After mitigation through Standard Mitigation Measures, best available control technology (BACT), and a construction activity management plan (CAMP), the controlled levels of emissions of ROGs, NOx, DPM, and PM10 would be likely to continue to exceed the San Luis Obispo County APCD significance threshold. However, funding of offsite mitigation would offset these residual emission impact to a less than significant level (Class II).

Fugitive dust and wind erosion of soils could create impacts to biological resources. Construction dust emissions could also impact sensitive plant species and create visual impacts. With mitigation, impacts would be less than significant (Class II).

Sensitive receptors include nearby residences and the Carrisa Plains School (located about 200 feet from Highway 58). Concentrations of diesel particulate matter (DPM) and other equipment exhaust emissions would be highest for sensitive receptors near traffic on Highway 58, staging areas, and temporary parking areas. Due to the small exposure to DPM and toxic contaminants over a sensitive receptor's lifetime, no substantial long-term risks are anticipated (Class II).

a. Mitigation –

MM AQ-1.1 - Reduce Construction Vehicle Emissions (NOx, ROG, and DPM). During construction/ground disturbing activities and decommissioning, steps to reduce construction vehicle emissions include meeting CARB specifications for motor vehicle diesel fuel, and diesel engines; and complying with State Off-Road and On-Road Regulations. The Final EIR provides details about additional measures regarding vehicle idling, maintaining construction equipment, locating staging and queuing areas, electrifying equipment, substituting gasoline-powered in place of diesel-powered equipment, and using alternatively fueled construction equipment.

MM AQ-1.2 - Develop Construction Activity Management Plan (CAMP). The Applicant shall develop a CAMP and submit it to the San Luis Obispo County APCD for review and approval, at least three months before construction activities are to begin. The CAMP shall include, but not be limited to, the following elements: a Dust Control Management Plan, tabulation of on- and off-road construction equipment, scheduling construction truck trips during non-peak hours, limiting the length of the construction work day, and phasing of construction activities.

MM AQ-1.3 - Reduce Fugitive Dust. Prior to issuance of construction permits and during construction/ground disturbing activities and decommissioning, measures to reduce fugitive dust emissions shall be implemented. They include reducing the amount of disturbed areas; watering to prevent airbone dust; installing permanent and interim revegetation; soil stabilization; paving roadways, driveways, and sidewalks; limiting vehicle speed on unpaved roads; covering and washing vehicles; street sweeping; and designating a person to monitor emissions and implement measures..

MM AQ-1.4 - Provide Funding for Offsite Mitigation of Construction Equipment. The Applicant shall develop and implement or fund a program for offsite mitigation of construction equipment that offsets emissions above APCD's Tier II levels of ROG and

NOx reductions and applied, if possible, to existing sources in the Carrizo Plain area and surrounding communities. The Applicant shall initiate this program such that the emission reduction project(s) are in place prior to commencing construction activities.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.4-11 through C.4-17 of the Final EIR.

2. **Impact AQ-2: Operation, maintenance, and inspections would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.** Once the project is operational, emissions would be limited to maintenance activities and operation of the Solar generation facility. Operations and security personnel would include about 15 permanent employees and occasional delivery personnel using mainly light-duty autos and trucks and medium-duty trucks. Few heavy-duty trucks would visit the site. The Applicant does not expect any quantifiable emissions from aging or degradation of the solar modules over time. The daily operational emissions of the ~~Revised~~Proposed Project are expected to be similar to those of the Original Project; Table C.4-14 of the Final EIR summarizes the estimated daily operational air emissions.

   The unmitigated operational emissions of fugitive dust would likely exceed the designated San Luis Obispo County APCD threshold for daily fugitive particulate matter. Mitigation Measures AQ-2.1 and AQ-2.2 would reduce the fugitive dust and PM10 from operational activities and enable the Solar generation facility to comply with San Luis Obispo County APCD *CEQA Air Quality Handbook* (2009a) and implement the APCD's Clean Air Plan standard mitigation for a less than significant impact (Class II).

   a. **Mitigation** –

      MM AQ-2.1 - Prepare Operational Dust Control Plan. Prior to energization or final inspection for County construction permit, whichever occurs first, the Applicant shall develop and implement an Operational Dust Control Plan including, where appropriate, each of the control strategies identified in construction Mitigation Measure AQ-1.3 (Reduce fugitive dust).

      MM AQ-2.2 - Provide Funding for Offsite Mitigation of Dust Control. The Applicant shall develop and implement or fund a program for offsite mitigation of fugitive dust from existing sources in the Carrizo Plain area and surrounding communities. The Applicant shall initiate this program such that the emission reduction project(s) are in place prior to commencing operation

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to pages C.4-17 through C.4-18 of the Final EIR.

D. Climate Change (Class II): No Class II impacts for Climate Change

E. Biological Resources (Class II)

1. **Impact BR-1: Construction activities would result in temporary and permanent losses of native vegetation.** Construction and operation of the ~~Revised~~Proposed Project would result in direct and indirect impacts to both native and non-native plant communities. Direct impacts to native vegetation communities would occur as a result of the removal of vegetation during construction activities. Indirect impacts to native vegetation communities could include: alterations in existing topography, light and hydrology regimes; sedimentation and erosion, soil compaction, the accumulation of fugitive dust, disruptions to native seed banks from ground disturbance, and the colonization of non-native, invasive plant species. On the Carrizo Plain, the loss of native and non-native plant communities have the potential to result in the loss of habitat occupied by a variety of special-status species. Because of the importance of these plant communities, construction activities that result in the loss of these communities would be considered significant without mitigation. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to temporary and permanent losses of native vegetation.

   a. **Mitigation –**

      BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program. A Worker ~~Environmental Education~~Training Program (~~WEEP~~WTP) shall be implemented by a County qualified biologist(s) and be subject to County approval. The ~~WEEP~~WTP shall be put into action prior to the beginning of any site related activities and implemented throughout the duration of project construction.

      BR-1.2 - Implementation of Best Management Practices (BMPs). BMPs will be implemented as standard operating procedures during all ground disturbance and construction related activities to avoid or minimize project impacts on biological resources.

      BR-1.3 - Development of a Habitat Restoration and Revegetation Plan. The Applicant is required to restore disturbed areas to pre-construction conditions or better. The Applicant shall retain a County qualified biologist to prepare a Habitat Restoration and Revegetation Plan. The biologist would also monitor the implementation of the plan as well as the progress on achieving the established success criteria. The plan will address restoration and revegetation related to disturbance from construction and restoration and revegetation required after decommissioning of the project should this be required (Final Closure Plan).

      BR-1.4 - Compensatione for permanent impacts to vegetative communities. The Applicant shall preserve and manage habitat within the Carrizo Plain that contains the same quality of vegetative communities impacted by the project in perpetuity at a 1:1 mitigation ratio (one acre preserved for each acre impacted). An open space easement shall be recorded on all property associated with the mitigation lands.

      BR-2.1 - Prepare and implement a Weed Control Plan. The Applicant is required to retain a qualified restoration ecologist or biologist to prepare a comprehensive adaptive Weed Control Plan (WCP) to be administered during the construction and operation of the project for the purpose of invasive weed abatement.

      BR-16.3 - Prepare and implement a Habitat Mitigation and Monitoring Plan. The Applicant shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan that defines methods to ensure the success of on-site preserved

land and acquired mitigation lands, including a Managed Grazing Plan for mitigation lands.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-28 through C.6-30 and pages E-25 of the Final EIR.

2. **Impact BR-2: The project would result in the establishment and spread of noxious weeds, invasive and non-native plants.** The construction and operation of the ~~Revised~~Proposed Project has the potential to increase the spread of noxious or invasive weeds during construction and operation. Direct impacts from the introduction of noxious weeds could result in permanent alteration of the existing habitat by displacing native vegetative cover with non-native species. Indirect impacts attributed to the colonization of noxious weeds could include a gradual decrease in natural biodiversity as noxious weed infestations may extirpate native plant or wildlife populations. Ongoing operational and maintenance impacts could include the facilitation of noxious weed establishment and spread as a result of increased vehicular and human traffic.The Applicant has proposed periodic livestock grazing to control the height of vegetation within the solar arrays and limited use of herbicides. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to invasive and non-native plants.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-2.2 - Develop Grazing Plan. The Applicant is required to retain a qualified restoration ecologist or biologist to prepare a Grazing Plan to be administered during the construction and operation of the project. The Grazing Plan will be an adaptive management tool. Grazing management strategies will be evaluated and modified over time based on results, experience, and the latest research

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-30 through C.6-33 and page E-25 of the Final EIR.

3. **Impact BR-3: The project would cause the loss of foraging habitat for wildlife.** The Carrizo plain eco-region consists of over 195,297 acres supporting various natural habitats and land use practices (e.g., agriculture, grazing, etc.). Direct impacts to wildlife foraging habitat in the Carrizo Plain would occur from construction and operation of the facility and the permanent conversion of open space from the placement of the solar arrays and related facilities. Indirect impacts to foraging habitat could include alterations

to existing topographical and hydrological conditions, increased erosion and sediment transport, and the establishment of noxious weed colonies. Operational impacts include increased human presence and the spread of noxious weeds due to use of new or improved access roads. Because such a large area would be affected, the impacts of the ~~Revised~~Proposed Project on foraging habitat for wildlife would be considered significant absent mitigation. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to foraging habitat.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensate for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence –** Please refer to pages C.6-33 through C.6-35 and page E-25 of the Final EIR.

4. **Impact BR-4: Construction activities would result in disturbance to wildlife and may result in wildlife mortality.** The ~~Revised~~Proposed Project site supports a suite of common and sensitive wildlife species. Construction-related impacts on common wildlife are typically not considered significant under CEQA; however, the large scale nature of the construction, multi-year schedule, and size of the land use conversion would result in potentially significant direct and indirect impacts on common species in the project area. Direct impacts to wildlife associated with construction of the ~~Revised~~Proposed Project include direct mortality, reduced use of area as movement corridor, fugitive dust and habitat loss, amoung others. Indirect effects on wildlife as a result of the ~~Revised~~Proposed Project include the introduction of non-native, invasive plant species, alterations to existing hydrological conditions, and noise. Operational impacts to wildlife would also occur. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to disturbance to wildlife and mortality.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.1 - Implement protective dust control pond design, monitoring and management plan. The Applicant is required to design and implement a Dust Control Pond Design and Monitoring and Management Plan (Dust Control Pond Plan). The pond perimeter shall be surrounded by a barrier fence designed to keep wildlife species out. The project Applicant is required to cover the dust control ponds with 1.5-inch mesh netting designed to exclude birds and other wildlife from drinking or landing on the water of the ponds. The netted ponds shall be monitored on a regular basis for the life of the project.

BR-4.2 - Implement biological construction monitoring. The Applicant is required to retain a qualified biologist(s) to monitor, on a daily basis, all construction activities. The qualified biologist(s) shall be present at all times during ground-disturbing activities immediately adjacent to, or within, habitat that supports populations of the listed or special-status species. Any listed or special-status plants shall be flagged for avoidance. Any special-status terrestrial species found within a project impact area shall be relocated by the authorized biologist to suitable habitat outside the impact area.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-35 through C.6-37 and E-25 of the Final EIR.

5. **Impact BR-6: Construction activities ~~would~~could result in the loss of nesting birds or raptors.** Direct impacts to nesting birds or raptors would include displacement of breeding birds and the abandonment of active nests, loss of eggs and nestling, and loss of foraging habitat. Indirect impacts to nesting birds include human disturbance, the spread of noxious weeds, and disruption of breeding or foraging activity due to facility maintenance. Weed abatement and maintenance of the Dust control pond disposal could also affect nesting. Operational impacts to nesting birds pose a substantial concern. In the Carrizo Plain birds will nest in a variety of manmade substrates including the vehicles, debris piles, and other fixed structures. The loss of active bird nests or young is regulated by the Federal Migratory Bird Treaty Act (MBTA) and Fish and Game Code Section 3503. Based on the observation of the nesting birds on the ~~Revised~~Proposed Project site, there is a high likelihood of encountering nesting birds. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to loss of nesting birds or raptors.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.1 - Dust control pond disposal design, monitoring and management plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-6.1 - Conduct pre-construction for nesting and breeding birds and implementation of avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys for nesting birds within the recognized breeding season in all areas within 500 feet of ~~Revised~~Proposed Project. If breeding birds with active nests are found prior to or during construction, a biological monitor shall establish a buffer around the nest for ground-based construction activities and no activities will be allowed within the buffer(s) until the young have fledged from the nest or the nest fails. The buffer is species-dependent. If for any reason a bird nest must be removed during the nesting season, the Applicant is required to provide written documentation providing concurrence from the USFWS and CDFG authorizing the nest relocation.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to page C.6-38 through C.6-39 and E-25 of the Final EIR.

6. **Impact BR-7: The project could disturb Endangered, Threatened, Proposed, Petitioned or Candidate plant species or their habitat.** If present, listed plant species could experience direct impacts from construction activities that remove vegetation, grade soils, or cause sedimentation. Indirect impacts could include the disruption of native seed banks through soil alterations, the accumulation of fugitive dust, increased erosion and sediment transport, and the colonization of non-native, invasive plant species. Operational impacts could include trampling or crushing due to use of new or improved access roads, increased erosion, and the colonization and spread of noxious weeds. Altered hydrologic and light regimes can also adversely affect listed plants should they occur. If special-status plants are present, impacts to these species would be considered significant without mitigation. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to disturbance to endangered, threatened, or proposed plant species.

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-7.1 - Conduct pre-construction surveys for State and Federally Threatened, Endangered, Proposed, Petitioned and Candidate plants and implementation of avoidance measures. The Applicant is required to conduct pre-construction surveys for State and federally listed Threatened and Endangered, Proposed, Petitioned, and Candidate plants in all areas subject to ground-disturbing activity except where stated in the mitigation measure. All listed plant species found shall be marked and avoided. Where impacts to listed plants are determined to be unavoidable, the USFWS and/or CDFG shall be consulted for authorization. Additional measures to protect or restore listed plants or their habitat may be required.

BR-7.2 - Compensate for impacts to State and Federally Threatened, Endangered, Proposed, Petitioned, and Candidate plants. The Applicant is required to compensate for permanent impacts to State and Federally Threatened, Endangered, Proposed, Petitioned and Candidate plants, by preserving and managing habitat in perpetuity at a 1:1 mitigation ratio. Compensation for temporary impacts shall include land acquisition and/or preservation at a 0.5:1 ratio. Habitat shall be preserved through the use of permanent conservation easements.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-39 ~~and~~to C.6-41 and E-25 of the Final EIR.

7. **Impact BR-8: The project could result in injury or mortality of, and loss of habitat for, vernal pool fairy shrimp or longhorn fairy shrimp.** Vernal pool fairy shrimp and longhorn fairy shrimp have the potential to occur in the project ~~Revised~~Proposed Project area. If present in the project footprint, direct impacts could ~~would~~ include loss or mortality from construction activities that crush individuals, bury pool, or alter pool morphology. Indirect and operational impacts could include the spread or colonization of weeds, weed management, altered hydric or light regimes and the alteration of hydrology or the disruption of flows to off-site areas. Direct and indirect impacts to these species would be considered significant without mitigation. With implementation of mitigation measures, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to vernal pool fairy shrimp or longhorn fairy shrimp.

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-8.1 - Complete protocol-level surveys for listed branchiopods. The Applicant is required to conduct protocol level surveys for the Federally Endangered longhorn fairy shrimp and the Federally Threatened vernal pool fairy shrimp each year of construction in areas subject to project disturbance where previous surveys have not been conducted or where rainfall results in the formation of pools that persist for a minimum of seven days and that overlay soils associated with vernal pool complexes.

BR-8.2 - Avoid ~~seasonal depressions and~~ known ~~waterbodies~~listed fairy shrimp. The Applicant is required to avoid all seasonal depressions and known waterbodies that occur within the project site and that have not been verified to be occupied by listed fairy shrimp. A ~~400~~250-foot buffer shall be placed around all seasonal depressions and known waterbodies containing documented populations of listed fairy shrimp and shall be shown on all applicable construction plans. On-site delineation of this buffer shall be in place prior to construction activities.

BR-8.3 - Compensate for impacts to vernal pool or longhorn fairy shrimp or their habitat. If project impacts will result in impacts to habitat for, or result in the loss of, vernal pool or longhorn fairy shrimp the Applicant is required to consult with the USFWS. The USFWS will require both a preservation and creation component for compensation.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-41 and C.6-42 and E-25 of the Final EIR.

8. **Impact BR-9: The project could result in loss of Kern primrose sphinx moth.** The Kern primrose sphinx moth, and the primary larval host plant, evening primrose, is known to occur on the Carrizo Plain and three species of evening primrose were found on the project site. If Kern primrose sphinx moth or larvae are present onsite, direct impacts could occur from vehicles strikes, collision with construction equipment, or ingestion of soils or water contaminated with construction debris. Impacts to foraging habitats would include the temporary and impacts and permanent conversion from physical structures. Indirect impacts would include altered light and hydric regimes that are expected to alter the vegetation communities beneath the solar arrays and increased predation risks. The Sphinx's moth is known to have a limited distribution and if present, impacts of the ~~Revised~~Proposed Project would be considered Class II, significant but mitigable impacts.

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-9.1 - Complete focused surveys for Kern primrose sphinx moth and implement avoidance measures. The Applicant shall retain a qualified biologist to conduct focused surveys for Kern primrose sphinx moth. Areas supporting *Camissonia spp.* within 100 feet of the project footprint shall be shown on construction plans and submitted with the construction permit application. The Applicant shall avoid these identified areas and install sturdy and highly visible delineation markers on-site, that results in a 100-foot buffer around these areas.

BR-9.2 - Compensate for impacts to Kern primrose sphinx moth. If avoidance of *Camissonia spp.* plants cannot be accomplished, compensatory mitigation for impacts to areas supporting these plants will be applied. Areas occupied by *Camissonia spp.* and impacted by the ~~Revised~~Proposed Project will be mitigated at a 2:1 ratio for temporary impacts. Permanent impacts shall be mitigated at a 3:1 ratio. Habitat shall be preserved through the use of permanent open space easements.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-42 and C.6-43 and E-25 of the Final EIR.

9. **Impact BR-10: The project could result in the loss of blunt-nosed leopard lizards.** Blunt-nosed leopard lizard are known to occur in the project region and have been documented approximately 8 miles south of the site. Direct impacts to the blunt-nosed leopard lizard would include direct mortality, unintentional entombment, and crushing of burrows. Indirect impacts to these species include compaction of soils, the introduction of exotic plant species, alterations to the existing hydrological conditions, and alterations in the existing solar regime from shading, modification of prey base and altered species composition. The large scale land use conversion and disruption of habitat could potentially disrupt the ability of this species to effectively disperse from source populations if they are present in adjacent areas. Direct impacts to blunt-nosed leopard lizard are not authorized by the CDFG and are not expected to occur during construction of the ~~Revised~~Proposed Project. However, this species can be elusive and difficult to detect. If present and undetected, impacts to the species would be Class II, significant but mitigable impacts.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-10.1 - Conduct protocol and focused pre-construction surveys for blunt-nosed leopard lizard and implement avoidance measures. The Applicant is required to implement CDFG protocol-level surveys for a 500-foot-wide buffer around

any suitable habitat. If present, active blunt-nosed leopard lizard burrows shall be flagged, all work activities within 500 feet of the sighting shall cease, and a 22-acre buffer will be delineated. To the extent feasible, the buffer around the occupied BNLL habitat will not be impacted, even temporarily, by project activities. If avoidance of the occupied habitat and buffer is not feasible, then impacts to the occupied habitat will be minimized.

BR-10.2 - Compensate for impacts to occupied blunt-nosed leopard lizard habitat. The Applicant is required to compensate for impacts to occupied blunt-nosed leopard lizard habitat at a minimum 3:1 ratio. The mitigation areas must provide occupied habitat that is of equal or greater habitat quality compared to the impacted habitat. An open space easement shall be recorded on all property associated with the mitigation lands to protect biological resources in perpetuity.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-43 and C.6-44 and E-25 of the Final EIR.

10. **Impact BR-11: The project could result in the loss of California condors.** Large portions of the Carrizo Plain were once considered within the historical range of the California condor; recently this species was documented to periodically occur in the Mountain Ranges that border the western edges of the Carrizo Plain. Direct impacts to condors would include interference with foraging activities and movement patterns. Indirect effects could include collision with solar arrays or the electrical distribution/collector lines, vehicle use or increased human activities, and the degradation of habitat through the spread of noxious weeds. Operational effects would include collision or electrocution with the proposed distribution/collector lines and the solar modules. The loss of foraging habitat from the ~~Revised~~Proposed Project would be considered less than significant because the condors are not currently known to forage in the project area. However, impacts to condors from exposure to ethylene glycol (component in antifreeze), construction disturbance, or microtrash ingestion would be considered significant but mitigable impacts (Class II).

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.1 - Dust control pond disposal design, monitoring and management plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-11.1 - Monitor construction in condor habitat and remove trash and microtrash from the work area daily. The Applicant is required to dispose of microtrash as indicated in MM BR-1.2, develop a flier as part of the ~~WEEP~~WTP

which will be distributed to all workers prior to the start of construction containing information on the California condor, stop work within a 500 foot buffer if a condor should land in the project area, and report all condor sightings.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-44 ~~and~~to C.6-46 and E-25 of the Final EIR.

11. **Impact BR-12 - The project could result in the loss of golden eagle, American peregrine falcon, bald eagle, white-tailed kite and Swainson's hawk.** The development of the ~~Revised~~Proposed Project site would result in substantial loss of foraging habitat for golden eagle, American peregrine falcon, bald eagle, white-tailed kite, and Swainson's hawk, though foraging may continue within the proposed open areas between the individual arrays. Foraging between the solar module arrays could lead to collision or electrocution with the small overhead electric distribution/collector lines. Because the golden eagle is sensitive to human encroachment, golden eagles may halt nest building or abandon existing nest sites within one-mile of the project site; however, the nearest golden eagle nest is beyond the one-mile buffer. Indirect impacts to these bird species could result from a disruption of normal foraging activity during the three year construction phase and the operation of the facility. Indirect impacts could also include an increase in vehicle collisions and the spread of noxious weeds. These impacts would be considered Class II, significant but mitigable impacts.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.1 - Dust control pond disposal design, monitoring and management plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-6.1 - Conduct pre-construction for nesting and breeding birds and raptors and implement avoidance measures (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-46 and C.6-47 and E-25 of the Final EIR.

12. **Impact BR-13: The project could result in electrocution of State and/or federally protected birds.** California condors, Swainson's hawks, bald and golden eagles, sand hill cranes, peregrine falcons, and other large aerial perching birds are susceptible to electrocution from the ~~Revised~~Proposed Project's electric power lines (i.e.,

distribution/collector) because of their large size, presence in the project area, and tendency to perch on tall structures that offer views of potential prey. These impacts would be considered Class II, significant but mitigable impacts.

a. **Mitigation –**

BR-13.1 - Implement Avian Power Line Interaction Committee guidelines (APLIC). The Applicant is required to construct all transmission facilities, towers, poles and lines in accordance with and comply with all policies set forth in the Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC).

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-47 and C.6-49 and E-25 of the Final EIR.

13. **Impact BR-14: The project could result in collision with overhead wires by State and/or federally protected birds.** Construction of the ~~Revised~~Proposed Project would require the placement of wooden poles roughly 43 feet in height and support conductors or collector lines that transport electricity to the substation. These features would pose a potential collision risk for birds. Based on the known distribution of the species in the project area and observations made during reconnaissance surveys, it is generally expected that collision mortality would occur to some degree and increase from baseline conditions due to the addition of new manmade and natural objects in the project area. Implementation of mitigation measures would reduce identified impacts related to collision to Class II, significant but mitigable to less than significant levels and provide corrective actions based on the severity of the impact.

a. **Mitigation –**

BR-13.1 - Implement Avian Power Line Interaction Committee guidelines (APLIC) (summary text above).

BR-14.1 - Prepare and implement a Bird Monitoring and Avoidance Plan. The Applicant is required to retain a qualified biologist to prepare a Bird Monitoring and Avoidance Plan that will follow the Avian Protection Plan guidelines outlined by USFWS. The plan will require monitoring the death and injury of birds and bats from collisions with facility features such collector/distribution lines, solar modules, and dust control pond. If the County determines that bird mortality caused by solar facilities is substantial, the Applicant shall be required to implement additional mitigation that may include installing bird flight diverters, altering project components, or other actions.

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-49 and C.6-50 and E-25 of the Final EIR.

14. **Impact BR-15: Glare from the reflection of sunlight off the solar modules could contribute to the risk of avian collision on the project site.** Large scale solar facilities present a new and relatively un-researched risk for bird collisions. Operation of the solar modules could cause an increase in glare and Polarized Light Pollution from light

reflecting off of dark colored structures. It is likely that glare would affect birds to some degree since the mirrors would reflect light and images and might be mistaken for open sky or water. Given the lack of research on these impacts, to be conservative, mitigation would be required to reduce identified impacts related to glare to Class II, significant but mitigable to less than significant levels, and to provide corrective actions based on the severity of the impact.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-4.1 - Dust control pond disposal design, monitoring and management plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-14.1 - Prepare and implement a Bird Monitoring and Avoidance Plan (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-50 and C.6-51 and E-25 of the Final EIR.

15. **Impact BR-16: The project could result in the loss of giant kangaroo rat.** G Focused surveys of the project site including extensive use of trap lines and visual searches for burrow complexes or precincts, did not document giant kangaroo rat (GKR) within the ~~Revised~~Proposed Project. GKR are known to occur in the project region and has~~v~~e been recently documented approximately 4.5 miles east of the site, within the California Valley Solar Ranch (CVSR) project. Construction of the ~~Revised~~Proposed Project w~~c~~ould result in permanent and temporary impacts to suitable GKR habitat. The project site does not support GKR and direct, indirect, and operational impacts are not expected to occur. Implementation of the ~~Revised~~Proposed Project could result in impacts to giant kangaroo rat that are considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.1 - Complete focused pre-construction giant kangaroo rat burrow/precinct surveys and implement avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys for each phase (construction of each solar array) of the project. If active giant kangaroo rat burrows/precincts are present, they shall be flagged, with a minimum 100-foot buffer from each active burrow/precinct. If avoidance is not possible, the Applicant and qualified biologist will develop and implement a Giant Kangaroo Rat Relocation Plan. The Applicant shall document all giant kangaroo rat burrows/precincts abandoned or destroyed.

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat and San Joaquin antelope squirrel. To mitigate for the loss of habitat and the loss of individual animals, the Applicant is required to provide compensatory mitigation acreage at a 4:1 ratio for permanent impacts. This 4:1 ratio includes ~~(4:1 ratio for permanent impacts and at~~ a 3:1 ratio for occupied habitat, and a 1:1 ratio for the creation of habitat through the retirement of active dry-land farming or enhancement of other disturbed habitat,~~) and to create giant kangaroo habitat (at a 1:1 ratio)~~ adjusted to reflect the final project footprint, as specified in this measure. Mitigation land must meet specific enumerated criteria and shall be preserved and acquired at an overall 4:1 ratio. For the purposes of this measure, the preservation and creation of habitat for giant kangaroo rat will mitigate project impacts to San Joaquin antelope squirrel. Open space easement(s) shall be recorded on all property associated with the mitigation lands to protect biological resources in perpetuity to be held by a qualified easement holder and subject to the Habitat Mitigation and Monitoring Plan.

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-51 through C.6-53 and E-25 of the Final EIR.

16. **Impact BR-17: The project would result in the loss of San Joaquin kit fox.** San Joaquin kit fox would experience a loss of occupied habitat and the elimination of several denning sites. Direct impacts to San Joaquin kit fox include direct mortality, reduced use of the area as a movement corridor, interference with breeding and foraging, abandonment of burrows, amoung others. Construction of the ~~Revised~~Proposed Project would also modify and limit access to a highly porous area that is very suitable to the movement or dispersal of San Joaquin kit fox. Indirect impacts include alteration of soils, such as compaction that could preclude burrowing, the degradation of habitat through the changes in prey base, increased predation by coyotes or red foxes both onsite and offsite, and the spread of exotic weeds. Impacts to San Joaquin kit fox would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-17.1 - Conduct focused pre-construction San Joaquin kit fox surveys and implement avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys for each phase of the project. If present, San Joaquin kit fox dens will be fenced and ground-disturbing activities shall be avoided within a minimum of 100 feet surrounding each potential or known den. If avoidance is not possible, the Applicant will take additional mitigation measures to encourage the animal to leave the den. Occupied natal dens found within 1000 feet of project activities shall require immediate contact with the USFWS. Avoidance of natal dens is mandatory; natal dens shall not be disturbed at any time. The biologist is required to document all kit fox dens abandoned, destroyed or avoided/ protected.

BR-17.2 - Compensate for permanent impacts to San Joaquin kit fox. To mitigate for the loss of habitat, the Applicant is required to acquire occupied habitat acreage (at least a 2:1 ratio) and to restore San Joaquin kit fox habitat (up to a 2:1 ratio) adjusted to reflect the final project footprint, as specified in this measure. Mitigation land must meet specific enumerated criteria and shall be acquired and restored at an overall 4:1 ratio. Open space easement(s) shall be recorded on all property associated with the mitigation lands to protect biological resources in perpetuity to be held by a qualified easement holder and subject to the Habitat Mitigation and Monitoring Plan.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-53 through C.6-55 and E-25 of the Final EIR.

17. **Impact BR-18: The project could result in the loss of San Joaquin antelope squirrel.** San Joaquin antelope squirrel is known to occur in the Carrizo Plain but was not detected on the ~~Revised~~Proposed Project site. San Joaquin antelope squirrels have not been documented on site, and direct, indirect, and operational impacts are not expected to occur. However, because of the proximity to known populations, the presence of potential habitat in adjacent areas, and the multi-year construction schedule, it is possible that the species could occur during the construction of the project. The loss of any potential San Joaquin antelope squirrel or their foraging habitat would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.1 - Complete focused pre-construction giant kangaroo rat burrow/precinct surveys and implement avoidance measures (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat, San Joaquin kit fox and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-18.1 – Complete focused pre-construction San Joaquin antelope squirrel surveys and implement avoidance measures. The Applicant is required to retain a County-approved biologist to conduct pre-construction surveys for each phase of project construction in all areas composed of annual grassland or other suitable habitat. If present, active San Joaquin antelope squirrel burrows shall be flagged and ground-disturbing activities shall be avoided within a minimum of 100 feet surrounding each active burrow. All active burrows/precincts will be mapped and incorporated into a GIS-based figure that on-site monitors and construction crews would use.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-5155 and C.6-5256 ~~and C.6-70~~ and pages E-4925 through E-7126 of the Final EIR.

18. **Impact BR-19: The project would result in the loss of Special-Status plant species.** Nine species of rare plants were detected on the ~~Revised~~Proposed Project site, including populations of rare plants that were detected across most of the site, however many occur in areas not subject to direct impacts. Direct impacts to five species would occur from construction activities that remove vegetation, grade soils, or cause sedimentation. Indirect impacts could include the disruption of native seed banks through soil alterations, the accumulation of fugitive dust, increased erosion and sediment transport, and the colonization of non-native, invasive plant species. Operational impacts could include trampling or crushing and the colonization and spread of noxious weeds. Impacts to four species of CNPS List 1B plants do not meet the threshold of significance, but impacts to Munz's tidy tips would be considered significant, but could be mitigated to a less than significant levels (Class II). (Impacts to the four species of CNPS List 1B plants would be considered adverse, but less than significant [Class III]).

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensatione for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-19.1 - Conduct pre-construction surveys for Special-Status plants and implement avoidance measures. The Applicant is required to conduct pre-construction surveys for Special-Status plant species in all areas subject to ground-disturbing activity except as specified in the mitigation measure. Prior to site grading, any populations of special-status plant species identified during the surveys shall be protected by a buffer zone. If project related impacts result in the loss of more than 10% of the on-site population of any Special-Status plant species, compensatory mitigation will be required.

BR-19.2 - Compensate for impacts to Special-Status plant species. If project related impacts result in the loss of more than 10% of the on-site population of any Special-Status plant species, compensatory mitigation will be required at a 1:1 mitigation ratio. Compensation for temporary impacts shall include land acquisition and/or preservation at a 0.5:1 ratio. Compensatory habitat shall be preserved through the use of permanent open space easements.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-56 through C.6-59 and E-25 of the Final EIR.

19. **Impact BR-20: The project could result in the loss of coast horned lizard, San Joaquin coachwhip and silvery legless lizard.** The San Joaquin coachwhip has been documented in the ~~Revised~~Proposed Project area. The coast horned lizard was documented approximately 4.5 miles east of the site and suitable habitat is available in the project area. Silvery legless lizard are known to occur in areas of the Carrizo Plain although their distribution on the site is likely limited. Direct impacts would include direct mortality, unintentional entombment, fugitive dust, and general disturbance. Indirect impacts to these species include compaction of soils, the introduction of exotic plant species, alterations to the existing hydrological conditions, and alterations in the existing solar regime from shading, modification of prey base and altered species composition. Temporary and permanent habitat loss and the loss of individual animals would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-20.1 - Complete focused pre-construction surveys for silvery legless lizards, coast horned lizard and San Joaquin coachwhip and implement avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys immediately prior to ground disturbance. If legless lizards, coast horned lizards or San Joaquin coachwhips are found within the area of disturbance the biologist will relocate the animals to a pre-approved location outside the project area.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-59 and C.6-60 and E-25 of the Final EIR.

20. **Impact BR-21: The project would result in the loss of western spadefoot toad.** Western spadefoot toads were documented at 14 breeding pools during surveys conducted by the Applicant in 2010. Direct impacts to western spadefoot toad may result in the loss of individual toads, egg masses, and larvae. Because this species is largely nocturnal, impacts from vehicle use at dawn, dusk, and during the evening would be of concern because this species is difficult to detect while driving in rural areas. Indirect impacts on this species may be caused by soil compaction, altered hydrologic conditions, night time lighting, or the establishment of noxious weeds. Trash left on the project site could attract predators. Operational impacts could include collisions with vehicles, weed management activities that disrupt foraging or breeding, and the spread of weeds. Impacts to western spadefoot toad would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-8.2 - Avoidance ~~of seasonal depressions and known waterbodies~~ listed fairy shrimp (summary text above).

BR-21.1 - Complete focused pre-construction western spadefoot toad surveys and implement avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys during appropriate times of year. Should toads and habitat be found, and be impacted by temporary and/or permanent project impacts, a habitat restoration and management plan shall be prepared that will include relocation of western spadefoot toad adults, tadpoles, and egg masses to restoration areas. The plan shall include permanent protection and management of restoration areas.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-60 and C.6-61 and E-25 of the Final EIR.

21. **Impact BR-22: The project would result in the loss of burrowing owl.** The Applicant identified burrowing owls nests at five locations within the boundaries of the ~~Revised~~Proposed Project and the owls are broadly distributed across the ~~Revised~~Proposed Project area. Construction of the ~~Revised~~Proposed Project would affect foraging and breeding habitat for this species. The potential effects of the project to burrowing owls depend on the number of owls present in the project footprint and how the species utilizes the area (i.e., migratory stopover, year round, breeding, or wintering). The loss of occupied burrowing owl habitat (habitat known to have been occupied by owls during the nesting season within the past three years) or reductions in the number of this rare species, directly or indirectly through nest abandonment or reproductive suppression, would constitute a Class II impact, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-22.1 - Complete focused pre-construction burrowing owl surveys and implement avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys no more than 15 days prior to ground disturbance. Surveys will avoid occupied burrows during nesting season and a 250-foot buffer will be maintained between Project activities and nesting burrowing owls during the nesting season. Birds may be passively relocated during the non-breeding

season. Any damaged or collapsed burrows will be replaced with artificial burrows at a 2:1 ratio.

BR-22.2 - Compensate for impacts to burrowing owl. Compensatory mitigation for permanent impacts to burrowing owls or their habitat will be provided in the form of habitat preservation and management. In accordance with California Burrowing Owl Consortium (1995) guidelines, an area of 6.5 acres per pair will be preserved and managed for this species. This mitigation may occur on lands used simultaneously as mitigation for impacts to other species. Habitat shall be preserved through the use of permanent open space easements.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-61 and C.6-62 and E-25 of the Final EIR.

22. **Impact BR-23: The project would disturb wintering birds.** A number of different bird species winter in the Carrizo Plain. Direct impacts to wintering birds include interference with foraging activities and movement patterns. Indirect impacts to wintering birds include the degradation of habitat due to the establishment of noxious weeds and the flushing of adult or fledging birds through the use of the new or improved access roads. Operational impacts include collision with collector lines and disturbance of birds due to the presence of maintenance personnel. Wintering birds could also be attracted to the dust control pond. The ~~Revised~~Proposed Project would result in an approximately one percent loss to the natural lands available in the Carrizo Plain area. However, natural areas within the Carrizo Plain include a variety of plant communities, not only California Annual Grassland. While some species may forage within a broad range of habitats other species prefer open grasslands or even fallow agricultural fields. Therefore, the loss of California Annual Grassland as a result of the ~~Revised~~Proposed Project would be considered a significant impact to wintering birds but mitigable to less than significant levels (Class II).

a. **Mitigation** –

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.1 - Dust control pond disposal design, monitoring and management plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-6.1 - Conduct pre-construction for nesting and breeding birds and raptors and implement avoidance measures (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-63 and C.6-64 and E-25 of the Final EIR.

23. **Impact BR-24: The project ~~w~~could disturb nesting avian species of special concern.** Several bird species listed as species of special concern by the CDFG have been identified as either nesting or potentially nesting within the ~~Revised~~Proposed Project site. These include but are not limited to the lark sparrow and loggerhead shrike. Direct impacts ~~to~~ would include displacement of breeding birds and the abandonment of active nests, loss of eggs and nestling, and loss of foraging habitat. Indirect impacts to nesting birds include human disturbance, the spread of noxious weeds, and disruption of breeding or foraging activity due to facility maintenance. Weed abatement and maintenance of the Dust control pond disposal could also affect nesting. Disturbance to nesting birds would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-6.1 - Conduct pre-construction for nesting and breeding birds and raptors and implement avoidance measures (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-64 and E-25 of the Final EIR.

24. **Impact BR-25: The project ~~w~~could result in loss of American badger.** American badgers were detected on the ~~Revised~~Proposed Project site, and the area supports both suitable foraging and suitable denning habitat for this species. Direct impacts to American badger include direct mortality, creation of barriers (including trenches) disrupting movement between burrows and foraging areas, and abandonment of burrows. Indirect impacts to badgers include alteration of soils, such as compaction that could preclude burrowing, alteration in prey base, and the spread of exotic weeds. Operational impacts include risk of road kill on access roads by maintenance personnel, the spread of noxious weeds, and disturbance due to increased human presence.

Impacts to American badger would be Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2: Implement biological construction monitoring (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat~~, San Joaquin kit fox~~ and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-25.1 - Complete focused pre-construction surveys for American badger surveys and implementation of avoidance measures. The Applicant is required to retain a qualified biologist to conduct pre-construction surveys no more than 30 days prior to ground disturbance. If present, occupied badger dens shall be flagged and ground-disturbing activities avoided within 50 feet of the occupied den. Impacts to maternity dens ~~shall~~ are not allowed during pup-rearing season. If avoidance of a non-maternity den is not feasible, badgers shall be passively relocated.

AQ-1.3 - Reduce Fugitive Dust (summary text above).

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence –** Please refer to pages C.6-~~56~~65 and C.6-~~57~~66 ~~and C.6-72~~ and pages E-~~49~~21 through E-~~71~~26 of the Final EIR.

25. **Impact BR-26: The project ~~w~~could result in loss of McKittrick pocket mouse, Tulare grasshopper mouse and short-nosed kangaroo rat. Mckittrick pocket mouse,** Tulare grasshopper mouse and short-nosed kangaroo rat have been documented on the Carrizo Plain. Based on habitat conditions, there is potential for direct loss of these species. Direct impacts to these species would include direct mortality, creation of barriers (including trenches) disrupting movement between burrows and foraging areas, and abandonment of burrows. Indirect impacts include alteration of soils, such as compaction that could preclude burrowing, and the spread of exotic weeds. Construction of the ~~Revised~~Proposed Project would remove or disturb vegetation and these animals would be subject to mortality from construction activities. Impacts to these species would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat~~, San Joaquin kit fox~~ and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

AQ-1.3 - Reduce Fugitive Dust (summary text above).

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to page~~s~~ C.6-~~56~~66 ~~and C.6-72~~ and pages E-~~49~~21 through E-~~71~~26 of the Final EIR.

26. **Impact BR-27: The project w~~c~~ould result in loss of sensitive bats.** The project area supports suitable roosting habitat for bats, including the adjacent foothills, old granaries, and abandoned structures such as the old grain silos. Roosting bats were not observed on the ~~Revised~~Proposed Project site; however, it is possible bats may use the site during the three year construction schedule. If present, direct impacts to these species would include loss of roosting habitat and subsequent mortality to adult bats or pups. Indirect effects could include increased traffic, dust, and human presence in the project area leading to bats abandoning their roosts or maternal colonies. Direct impacts to these species would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat, San Joaquin kit fox and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-27.1 - Conduct pre-construction maternity colony or hibernaculum surveys for sensitive bats. The Applicant is required to retain a qualified biologist to conduct

pre-construction surveys no more than 15 days prior to grading near or the removal of towers, trees or other structures. If active maternity roosts or hibernacula are found, the structure, tree or tower occupied by the roost shall be avoided.

BR-27.2 - Provide substitute roosting habitat for bats. If a maternity roost will be impacted by the project, and no alternative maternity roosts are near the site, the Applicant is required to provide substitute roosting habitat for the maternity colony. Alternative roost sites will be constructed in accordance with the specific bats requirements in coordination with CDFG.

BR-27.3 - Exclude bats prior to eviction from roosts. If non-breeding bat hibernacula are found in structures, towers or trees scheduled to be removed, the Applicant is required to evict the individuals under the direction of a qualified biologist. If an active maternity roost is located in an area to be impacted by the project, and alternative roosting habitat is available, the demolition of the roost site must commence before maternity colonies form.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-~~58~~67 ~~and C.6-72~~ and pages E-49~~7~~21 through E-~~71~~26 of the Final EIR.

27. **Impact BR-29: The project would result in the loss of jurisdictional wetland habitats.** Construction of the ~~Revised~~Proposed Project could result in permanent impacts and temporary impacts to wetlands and other waters. The U.S. Army Corps of Engineers ~~is currently in the process of~~ has determininged ~~whether~~ that wetlands and other waters ~~on the project site~~ that are considered jurisdictional under section 404 of the Clean Water Act are present on the project site. Direct impacts to jurisdictional habitats would occur primarily from the use of access roads and vehicle passages where jurisdictional waters traverse access roads, resulting in the removal of native vegetation, the discharge of fill, degradation of water quality, and increased erosion and sediment transport. Indirect impacts could include alterations to the existing topographical and hydrological conditions and the introduction of non-native, invasive plant species. Temporary and permanent impacts to State and federal jurisdictional waters would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-1.3 - Development of a Habitat Restoration and Revegetation Plan (summary text above).

BR-1.4 - Compensation for permanent impacts to vegetative communities (summary text above).

BR-2.1 - Prepare and implement a Weed Control Plan (summary text above).

BR-4.2 - Implement biological construction monitoring (summary text above).

BR-8.2 - Avoidance of seasonal depressions and known waterbodies (summary text above).

AQ-1.3 - Reduce Fugitive Dust (summary text above).

GE-1.1 - Protect disturbed soil from wind erosion during project construction (summary text above).

WR-2.1 - Demonstrate compliance with water quality permits (summary text above).

WR-3.1 - Minimize sedimentation (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-~~5~~68 and C.6-~~5~~69 ~~and C.6-73~~ and pages E-~~49~~21 through E-~~71~~26 of the Final EIR.

28. **Impact BR-30: The project would result in the alteration of movement patterns for San Joaquin kit fox.** The placement of physical structures, ground-disturbance, and other construction activities would directly impact San Joaquin kit fox movement and cause animals to temporarily avoid areas adjacent to the construction zone. Because construction would occur for up to three years, it is likely that wildlife use of the area would be adversely affected. This would adversely affect population dynamics and gene flow between populations. Indirect impacts include human disturbance, shade, altered vertical structure that reduce the sites openness (a key element associated with use of an area by San Joaquin kit fox), dust control pond, colonization or expansion of invasive weeds, and potential for increased predation risk. The ~~Revised~~Proposed Project would provide a corridor for wildlife movement through and around the project site. It is unknown to what extent the areas in and around the solar arrays would be used after development because the ~~Revised~~Proposed Project would constrict movement to some degree. Impacts would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation** –

~~BR-1.1 - Implement a Worker Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat~~, San Joaquin kit fox~~ and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-17.2 - Compensate for permanent impacts to San Joaquin kit fox.

BR-31.1 - Prepare and implement a pronghorn friendly fencing plan. The Applicant is required to submit for approval a Project Fencing Plan that has been developed to allow for movement of pronghorn antelope through the project site including removal of non-essential interior fencing.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-~~5~~69 and C.6-~~6~~70 ~~and C.6-73~~ and pages E-~~49~~21 through E-~~71~~26 of the Final EIR.

29. **Impact BR-31: The project ~~w~~could result in the alteration of movement patterns for pronghorn antelope.** There have been scattered occurrences of pronghorn antelope on the ~~Revised~~Proposed Project site and the area is considered a potential corridor for pronghorn antelope. Direct impacts of the ~~Revised~~Proposed Project include the placement of physical structures that block or impede movement. Ground-disturbing activity, including solar module array installation and construction, could interfere with pronghorn movement during construction. Construction could also affect pronghorn in adjacent habitats by interfering with movement patterns and/or causing individuals to temporarily avoid areas adjacent to the construction zone. Because the project will likely constrict movement and potentially reduce the size of the existing movement corridor impacts would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation –**

BR-1.1 - Implement a Worker ~~Environmental Education~~ Training Program (summary text above).

BR-1.2 - Implementation of Best Management Practices (BMPs) (summary text above).

BR-16.2 - Compensation for permanent impacts to giant kangaroo rat~~, San Joaquin kit fox~~ and San Joaquin antelope squirrel (summary text above).

BR-16.3 - Preparation of a Habitat Mitigation and Monitoring Plan (summary text above).

BR-17.2 - Compensate for permanent impacts to San Joaquin kit fox.

BR-31.1 - Prepare and implement a pronghorn friendly fencing plan (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-~~60~~71 ~~and~~to C.6-~~61~~73 ~~and C.6-74~~ and pages E-~~49~~21 through E-~~71~~26 of the Final EIR.

30. **Impact BR-34: The ~~Revised~~Proposed Project would contribute to a cumulatively considerable impact to special status species when combined with impacts from past, present, and reasonable future projects.** The ~~Revised~~Proposed Project and the other solar projects in the Carrizo Plain and Panoche Valley would result in the loss or modification of thousands of acres of vegetation known to support special status plants and wildlife including San Joaquin kit fox, giant kangaroo rat, American badger, burrowing owl, and golden eagle. Development of these projects would limit the use of the land for foraging, breeding, or wintering for many species of resident and migratory birds, including mountain plover. The Kern primrose sphinx moth if present on site, would potentially lose up to 1,500 acres of adult foraging habitat. Because so much of the remaining habitat for the special status species in the project area has been lost or degraded already, relatively minor changes within remaining habitat, particularly when considered cumulatively, would still have significant impacts. Mitigation Measure BR-34.1 (Establish the "California Valley Land Acquisition Program") establishes a program to begin assembly of these private parcels in order to reclaim them for use by the

regionally important wildlife and plant species. With the implementation of mitigation measures, the project's contribution to the cumulative impact would be Class II, less than cumulatively considerable .

a. **Mitigation –**

BR-34.1 - Establish the "California Valley Land Acquisition Program". The Applicant is required to work with the County to establish a program for acquisition of private lands within the California Valley subdivision. The program would acquire and aggregate private land parcels within the California Valley subdivision (in addition to lands currently held by the County), with the intent that adequate areas will be secured to maximize use by sensitive wildlife and that a County-approved entity (e.g., land trust) would provide oversight of such a program.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to page C.6-92 and page E-25 of the Final EIR.

31. **Impact BR-35: The ~~Revised~~Proposed Project would contribute to a cumulatively considerable impact to wildlife connectivity or corridors when combined with impacts from past, present, and reasonable future projects.** The ~~Revised~~Proposed Project is located in the Carrizo Plain, which supports key wildlife corridors for San Joaquin kit fox, tule elk, and pronghorn antelope. The project would contribute to the placement of obstacles that potentially impede wildlife movement. Ongoing development in this area continues to degrade the functionality of this habitat linkage. However, the ~~Revised~~Proposed Project would provide a broad corridor for wildlife movement through and around the project site and would preserve a pathway north of Highway 58. The larger corridor would likely provide foraging and burrowing habitat for such species as giant kangaroo rat and San Joaquin kit fox. With the implementation of mitigation measures, the project's contribution to the cumulative impact would be Class II, less than cumulatively considerable.

a. **Mitigation –**

BR-35.1 - Establish Fencing Plan to create fence removal or modification incentives. The Applicant is required to submit for approval a Fencing Plan that has been developed to facilitate the removal or modification of fences within the Carrizo Plain region. The Plan will consider all areas adjacent to and between the Topaz Solar Farm Project and the ~~Revised~~Proposed Project sites that may pose barriers to movement for pronghorn antelope and tule elk. Because the Plan would consider areas on private lands land owner permission would be required for implementation.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.6-9~~3~~0 through C.6-94~~2~~ and pages E-49~~2~~5 through E-26~~7~~1 of the Final EIR.

F. Cultural Resources (Class II)

1. **Impact CR-2: Construction of the Project would cause an adverse change to unknown significant surface or buried prehistoric and historical archaeological sites or buried Native American human remains.** Impacts of the ~~Revised~~Proposed Project include ground-disturbing activities during which previous undiscovered cultural

resources could be identified or inadvertently uncovered, exposed, and/or otherwise damaged during such construction activities. Mitigation measures are required to ensure that impacts to cultural resources would be reduced to the extent feasible. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts in regards to archeological sites.

a. **Mitigation –**

CR 2.1 - Unanticipated Discovery Plan. An Unanticipated Discovery and Monitoring Plan shall be prepared and shall outline the processes of notification, evaluation, and actions to be taken should unanticipated cultural resources be found during construction. The plan shall explicitly state that if previously undiscovered cultural resources are exposed during construction, all ground-disturbing activities shall immediately be halted at the discovery site and within 100 feet of it and will remain stopped until the discovery has been evaluated by a professional archaeologist and appropriate agencies have been notified.

CR 2.2 - Sensitivity Training for Construction Personnel. The Applicant shall provide training to construction personnel, including onsite avoidance requirements and the procedures for reporting any sensitive resources that may be discovered during project-related ground disturbance. This training shall also be performed at least once a quarter during the project construction period or sooner as needed for new construction personnel. New personnel shall not be onsite without training or without supervision from a trained worker.

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.7-19 and C.7-20 of the Final EIR.

2. **Impact PA-1: Construction of the Project would potentially destroy or disturb significant paleontological resources.** Although no vertebrate fossils have been recorded within the project area, several fossil-bearing geologic formations with high sensitivity are located in the project area. Therefore, there is a potential that ground disturbing activates related to construction of the ~~Revised~~Proposed Project could damage paleontologic resources. In order to ensure impacts to paleontological resources during construction would be less than significant, mitigation measures would be required. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts in regards to paleontological resources.

a. **Mitigation –**

PA 1.1 - Paleontological Monitoring and Treatment Plan. A Paleontological Monitoring and Treatment Plan shall be prepared and shall: identify construction impact areas of moderate to high sensitivity; detail the criteria to be used to determine whether an encountered resource is significant, and if it should be avoided or recovered for its data potential; detail methods of recovery, preparation and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting. Department of Planning and Building will review and approve the Paleontological Monitoring and Treatment Plan.

PA 1.2 - Paleontology Construction Monitoring. Based on the Paleontological Monitoring and Treatment Plan, the Applicant shall conduct full-time monitoring by a qualified paleontological monitor in areas determined to have moderate to high

paleontological sensitivity. Sediments of low, marginal undetermined sensitivity shall be monitored by a qualified paleontological monitor on a part-time basis (as determined by the County-approved paleontologist).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.7-21 through C.7-22 of the Final EIR.

3. **Impact CR-4: Project would contribute to a cumulatively considerable cultural resource impact when combined with impacts from past, present, and reasonable future projects.** The ground disturbance from past, present, and reasonable future projects in the vicinity could have a cumulatively considerable effect on subsurface archaeological deposits, both prehistoric and historic. The alteration of the Carrizo Plain could be caused by the construction and operation of the ~~Revised~~Proposed Project in conjunction with the CVSR project. However, incremental effects on cultural resources of the ~~Revised~~Proposed Project are not expected to be cumulatively considerable when viewed in conjunction with other projects. Therefore, the ~~Revised~~Proposed Project would result in Class II, cumulatively considerable but mitigable impacts in regards to cultural resources.

   a. **Mitigation** –

      CR 2.1 - Unanticipated Discovery Plan (summary text above).

      CR 2.2 - Sensitivity Training for Construction Personnel (summary text above).

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to pages C.7-26 of the Final EIR.

4. **Impact PA-2: Project would contribute to a cumulatively considerable paleontology resource impact when combined with impacts from past, present, and reasonable future projects.** Ground disturbing activities during construction would be required for the ~~Revised~~Proposed Project. As such, impacts to paleontological resources that have been documented in the general area of the ~~Revised~~Proposed Project could occur. The possibility of encountering paleontological resources during construction of present and reasonably future projects that would require significant grading, is high, and disturbance could result in a potentially significant impact. To ensure the ~~Revised~~Proposed Project's incremental effects on cumulative impacts to paleontological resources is less than cumulatively considerable, mitigation measures would be required. Therefore, the ~~Revised~~Proposed Project would result in Class II, cumulatively considerable but mitigable impacts in regards to paleontological resources.

   a. **Mitigation** –

      PA 1.1 - Paleontological Monitoring and Treatment Plan (Summary text above).

      PA 1.2 - Paleontology Construction Monitoring (Summary text above).

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.7-26 and C.7-27 of the Final EIR.

G. Geology, Mineral Resources and Soils (Class II)

1. **Impact GE-1: Results in triggering or acceleration of geologic processes, such as landslides, substantial soil erosion or loss of topsoil.** Grading for Project facilities including solar arrays, buildings, and access roads would disturb large areas where the upper soil surface would be loosened or removed and the protective vegetation removed. The soils in the project area are distinctly fine-grained and are classified as moderately susceptible to wind and water erosion. Planned areas of grading and disturbed surfaces would become susceptible to wind and water erosion and this would result in soil loss. Given the size of the ~~Revised~~Proposed Project and the amount of area that could be in a destabilized state at any one time, wind erosion could be substantial and mitigation measures would be required to reduce wind erosion impacts to less than significant levels. Erosion impacts related to water quality are detailed in Section C.15 (Water Resources), and would require mitigation measures to reduce impacts related to sediment and soil erosion by water to less than siginificant levels. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related soil erosion.

   a. **Mitigation –**

      GE-1.1 - Conduct landslide survey and protect against slope instability. A landslide survey in the hillside areas adjacent to and within the southwestern portions of the site shall be conducted to allow for identification of specific areas with the potential for slope instability within and adjacent to areas of planned construction and ground disturbance. If the results of the landslide survey indicate the presence of unstable slopes at or adjacent to Project structures, appropriate support and protection measures shall be designed and implemented to maintain the stability of slopes.

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to pages C.8-16 and C.8-17 of the Final EIR.

2. **Impact GE-2: Project would expose people or structures to potential substantial adverse effects as a result of seismically induced ground failure and/or groundshaking.** Strong to severe groundshaking with vertical and horizontal ground accelerations that could exceed standard design stresses may occur at the ~~Revised~~Proposed Project site during the life of the project. Mitigation measures would be required to reduce the effects of potential groundshaking on structures. Moderate to steep slopes adjacent to the San Andreas Fault may be susceptible to seismically induced ground failure in the form of landsliding or ground-cracking, resulting in damage to or collapse of project structures. The steep hills south of the fault, located adjacent to proposed solar array areas could potentially fail during an earthquake, resulting in damage to solar arrays or other equipment located downslope. As such, mitigation measures would be required to reduce potential damage to project components. The ~~Revised~~Proposed Project would result in Class II, signifcant but mitigable impacts in regards to seismically induced ground failure and/or groundshaking.

   a. **Mitigation –**

      GE-1.1 - Conduct landslide survey and protect against slope instability (Summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.8-17 of the Final EIR.

3. **Impact GE-7: Project would contribute to a cumulatively considerable geology, mineral resources or soils impact when combined with impacts from past, present, and reasonable future projects.** A significant cumulative impact to geologic processes would be caused by the triggering or acceleration of geologic processes from multiple locations, causing a significant impact, including exposure to people or structures to potential risk of loss or injury. In addition, strong to severe groundshaking may occur at the ~~Revised~~Proposed Project site during the life of the project and could result in collapse of project structures, resulting in power outages, damage to nearby roads or structures, and injury or death to nearby people. Past and future projects located in close proximity to ~~Revised~~Proposed Project structures would be exposed to the same conditions and therefore the same impacts. Mitigation measures would be required to reduce the ~~Revised~~Proposed Project's contributions to less than cumulatively considerable in regards to groundshaking and problamatic soils. Therefore the ~~Revised~~Proposed Project would result in Class II, cumulativley considerable but mitigable impacts in regards to geological resources.

a. **Mitigation –**

GE-1.1 - Conduct landslide survey and protect against slope instability (Summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.8-21 of the Final EIR.

H. Hazards and Hazardous Materials (Class II)

1. **Impact HZ-1: Create a hazard to people or the environment through the routine transport, use, or disposal of hazardous materials or as a result of an accidental release of hazardous materials.**

Hazardous Materials Related to Cadmium Telluride PV Panel Technology. Each of the ~~Revised~~Proposed Project's approximately 9 million solar modules, which are finished manufactured products and are not themselves hazardous materials, include a total of approximately 6 grams of cadmium per module, primarily in the form of cadmium telluride (CdTe) with less quantities of cadmium sulfide (CdS), and 6.6 grams of tellurium. The solar modules, based on testing data exceed both the State's Total Threshold Limit Concentration of 100 ppm for cadmium and the Soluble Threshold Limit Concentration of 1.0 ppm for cadmium. CdTe also has an oxidizing potential, but not strong enough to be considered a hazardous waste through reactivity. Tellurium is not currently a regulated substance. At this time the end-of-life or damaged CdTe solar modules would have to be handled as California hazardous waste if disposed or transported within the State of California. The overall conclusion of a literature review examining the hazardous material impacts of CdTe is that the potential environmental risks from CdTe solar technology can be properly mitigated through proper facility maintenance procedures and a binding requirement to recycle the panels.

Hazardous Materials During Construction. Small volumes of hazardous or flammable materials would be used during construction; Table C.9-2 of the Final EIR lists hazardous materials to be used on site. Releases of hazardous materials could result from improper storage, transport, or disposal of hazardous waste generated during construction. Other considerations include the risk of explosion of compressed gas, as well as the onsite storage of petroleum products in excess of 660 gallons where navigable waters are subject to occur. Measures to avoid potential impacts related to spills include compliance with ~~OH~~SHA and CalOSHA laws and guidelines; safety training; and mitigation measures HZ-1.1, HZ-1.2, HZ-1.3, HZ-1.4, HZ-1.5 and HZ-1.6 (Class II).

Hazardous Materials During Operation. Operation of the solar project would involve periodic and routine transport, use, and disposal of minor amounts of hazardous materials – primarily petroleum products and a large amount of motor vehicle fuel. Specific hazardous materials are listed in Table C.9-2 of the Final EIR. Hazardous material impacts could result from improper handling, storage, transport, disposal, or release of hazardous materials, including CdTe in the solar modules.

Measures to reduce potential impacts include mitigation measures HZ-1.1, HZ-1.2, HZ-1.3, HZ-1.4, ~~and~~ HZ-1.5 and HZ-1.6, ~~as well as use of fire-resistant solar modules (that do not contain cadmium)~~ (Class II).

Hazardous Materials During Decommissioning.

Improper disposal or recycling of solar modules could result in long-term outdoor storage of metal and petroleum-lubricated parts ~~could~~, and consequently contaminated runoff. Abandonment of solar modules could also result in a potentially significant impact on human health. HZ-1.6 would ensure proper disposal and recycling (Class II).

a. Mitigation –

HZ-1.1 - Develop and implement site-specific spill response plan. Prior to construction permit issuance, the Applicant shall submit to the County for review and approval a site-specific spill response plan that shall include general information, prevention, preparedness, and response procedures, as detailed in the Final EIR.

HZ-1.2 - Develop and implement a hazardous materials business plan. In accordance with the California Health and Safety Code, the Applicant shall prepare a hazardous materials business plan for review by the San Luis Obispo County Environmental Health Services Division. The plan shall describe handling, storage, and disposal; spill avoidance and impact minimization; and public and agency notification procedures for spills and other emergencies, including fires.

HZ-1.3 - Develop and implement a hazardous waste management plan. Prior to issuance of the construction permit, the Applicant shall prepare a hazardous waste management plan to ensure proper storage, transport, and disposal of hazardous waste generated at the project site during construction and operation. The hazardous waste management plan shall address waste determination, on-site container/tank management, proper disposal, accumulation times, and contingency plans.

HZ-1.4 - Develop and implement spill prevention, control, and countermeasures plans. Prior to issuance of the construction permit, the Applicant shall prepare a spill prevention, control, and countermeasures plans for the storage and use of transformer oil, gasoline, or diesel fuel at the site in quantities of 660 gallons or greater.

HZ-1.5 - Use licensed herbicide applicator. The contractor or personnel applying herbicides must have all the appropriate State and local herbicide applicator licenses and comply with all State and local regulations regarding herbicide use. Herbicide protection measures include: contacting the Environmental Monitor, reviewing a Worker's Training Manual, mixing and applying herbicides in accordance with manufacturer directions, wearing protective clothing and gear, not applying herbicides when raining or when winds exceeds specified speeds, and taking precautions with wildlife, as detailed in the Final EIR.

HZ-1.6 - Ensure proper disposal or recycling of photovoltaic modules and support structures. The Applicant shall submit a recycling and disposal plan for photovoltaic modules and support structures, specifying how these project components will be disposed of in a manner that will not pose a risk to human health or the environment. The project owner shall provide documentation to the County of the funding status of First Solar's Module Collection and Recycling Program, to provide assurance that funding will be available to cover the removal and recycling of photovoltaic modules.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.9-14 through C.9-2~~5~~7 of the Final EIR.

2. **Impact HZ-4: Create an aeronautical or motor vehicle hazard or result in a significant aerial obstruction within two miles of an airport or airstrip.** The California Valley Airport is located approximately 2.3 miles south of the ~~Revised~~Proposed Project boundary at the intersection of Soda Lake Road and Concord Road. Low-flying planes and helicopters and automobiles on Highway 58 could be subject to glare from the reflective surfaces of glass panels during daylight hours. Consequently, the potential exists for glare from project solar panels to result in distracting or possibly hazardous veiling reflections to motorists along certain portions of Highway 58. Such disruptions to drivers' vision may cause drivers to cross the centerline of the roadway or cross the roadway shoulder, which would increase the potential for traffic accidents. Because of the extensive nature of the ~~Revised~~Proposed Project's PV arrays, pilots of low flying aircraft and drivers could potentially experience distracting flashes of reflected light while in the immediate vicinity of the ~~Revised~~Proposed Project and impacts would be considered Class II, significant but mitigable to less than significant levels.

a. **Mitigation** –

AE-2.5 - Mitigate potential reflective glare Prior to issuance of construction permits, the Applicant shall coordinate with the County Department of Planning and Building in consultation with the California Department of Transportation and the California Highway Patrol, on a process or format for documenting the Applicant's resolution of complaints. The Applicant shall also prepare a glare screening plan depiciting location and general design of the physical barrier and demonstrating how it will prevent solar reflections from affecting nearby receptors including public roads and nearby residences.

HZ-4.1 - Notify California Valley Airport. Prior to commencement of construction activities, the Applicant shall send written notice to the California Valley Airport of the

~~Revised~~Proposed Project explaining that pilots of aircraft flying into and out of the airport could potentially experience distracting flashes of reflected light while flying in the immediate vicinity of the ~~Revised~~Proposed Project and to proceed with caution. The Applicant shall submit documentation of compliance to the County Department of Planning and Building prior to commencement of panel installation at the Project site.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.9-26~~9~~ and C.9-~~27~~30 of the Final EIR.

3. **Impact HZ-5: Expose people or structures to a risk of loss, injury, or death involving wildland fires.** The ~~Revised~~Proposed Project could potentially cause a wildfire hazard by igniting a wildfire during construction, operation, or maintenance, or by interfering with firefighting operations. Wildfires could be ignited by heavy-equipment use, welding, smoking, electrical equipment fires, and PV module disconnection. The Applicant has proposed a number of fire safety measures including: a pressurized fire system in all buildings, high-capacity water tank, adequate vegetation clearance, fire roads, and maintenance trucks equipped with water tanks. In addition, grazing would reduce vegetation height, and construction of a property grounded system would reduce the likelihood of fire as a result of a lightning strike. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts

a. **Mitigation** –

HZ-5.1 - Develop and implement a fire protection plan. The Applicant shall develop and implement a fire protection plan for use during construction and operation. The fire safety plan shall contain notification procedures and emergency fire precautions including, but not limited to: equipping internal combustion engines with spark arresters; using mufflers; making rules visible to employees; clearing parking areas and stationary engine sites of extraneous flammable materials; training personnel in fire safety plan practices; restricting use of certain tools outside of fire season; and prohibiting smoking.

HZ-5.2 - Ensure compliance with Industrial Operations Fire Prevention Field Guide. All activities shall comply with the recommendations set forth in the CAL FIRE Industrial Operations Fire Prevention Field Guide (1999), and all subsequent publications of this field guide.

HZ-5.3 - Install electrical safety signage. The Applicant shall install sufficient electrical safety signage on all solar arrays in the immediate vicinity of all wiring and on all electrical conduits to provide reasonable notice to project employees and visitors. Signs shall read: "CAUTION: Solar PV Wiring May Remain Energized After Disconnection During Daylight Hours. Tampering With Wiring May Result in ELECTRIC SHOCK or FIRE. Death or Serious Injury May Result. Do Not Expose Wires to Vegetation or Other Flammable Materials."

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supporting eEvidence-** Please refer to pages C.9-~~27~~30 through C.9-~~29~~32 of the Final EIR.

4. **Impact HZ-6: Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Class II)**

The project site is located in a rural area with several alternative access roads allowing easy access to the site in the event of an emergency. However, perimeter fencing, security gates, and heavy construction-related traffic could interfere with emergency access and evacuation. Heavy construction-related traffic could also potentially interfere with emergency response to scattered residences or communities near Highway 58. The remote nature of the site presents a potential emergency evacuation constraint, given that the nearest hospital is located over 50 miles away. Also, the Simmler Fire Station is staffed only part time. These physical interferences and physical constraints with emergency response would be considered significant impacts should they occur. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts.

a. **Mitigation ~~measures~~**

HZ-6.1 - Coordinate traffic during emergencies. The Applicant shall designate an Emergency Response Liaison to coordinate the reduction of project-related traffic for the duration of any emergency at or nearby the project site. The Liaison shall have radio contact with project construction vehicles at all times, and shall coordinate with the Carrizo Plain Fire Station/Cal Fire, the San Luis Obispo County Sheriff's Department, and the California Highway Patrol.

HZ-6.2 - Provide helicopter landing areas onsite. Prior to commencement of construction/ground disturbing activities, the Applicant shall provide temporary helicopter landing zones on the project site designed in accordance with the Federal Aeronautics Administration guidelines.

TR-1.1 - Prepare and implement traffic control and management plan. The Applicant shall apply for an Encroachment Permit for implementation of a Traffic Control Plan (TCP) with San Luis Obispo County Public Works (applies to Truck Route Option 1 only) and Caltrans (applies to all Truck Route Options). The numerous components of the TCP are detailed in the Final EIR.

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supporting eEvidence**- Please refer to pages C.9-~~29~~32 through C.9-33~~4~~ of the Final EIR.

5. **Impact HZ-7: Create a hazard to the public or the environment by mobilizing existing contamination or generating disease vectors (Class II).** There is potential for contamination to have occurred on the project site as a result of unknown or unreported spills or leaks (including leaks of oil and gas from dry holes), from residual agricultural chemicals, or from illegal dumping (including hazardous waste from clandestine drug manufacturing). Grading (although limited, due to relatively flat terrain), drilling, and excavation at the site has the potential to mobilize hazardous materials currently in the soil, which could result in exposure of personnel and other sensitive receptors such as plants and wildlife to contaminant levels that could result in short-term and/or long-term health effects.

The Solar generation facility would potentially generate disease vectors that could present a significant hazard for personnel or the public if project activities resulted in

standing water, trash piles, or open containers that could provide breeding areas for mosquitoes, flies, or rodents. In addition, construction of the Solar generation facility would occur in an area favorable to the growth of the "Valley Fever" vector – potentially disturbing soil containing the fungus spores, and putting construction workers and wildlife at risk of contracting Valley Fever. Construction of the Solar generation facility would also occur in an area that may harbor naturally occurring anthrax in the soil – with deceased anthrax-infected animals presenting risks to personnel and wildlife. The ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts.

a. **Mitigation –**

HZ-1.2 - Develop and implement a hazardous materials business plan (summary text above).

HZ-7.1 - Sample and test contaminated soil. If any construction personnel observe visual or olfactory evidence of contamination or if soil contamination is otherwise suspected, work near the excavation site shall be terminated and the work area cordoned off. If the sample testing determines that contamination is not present, work may proceed at the site. However, if contamination is detected above regulatory limits, the San Luis Obispo County Environmental Health Division shall be notified.

HZ-7.2 - Prohibit standing water and trash piles. The Applicant shall prevent water accumulation by storing trash in closed containers, regularly removing trash, inverting open containers, and not generating standing water, except for the dust control pond. Construction ditches shall not be allowed to accumulate water. Naturally occurring depressions, drainages, and pools at the site shall not be drained or filled without consulting with the appropriate resource agency and obtaining permits.

HZ-7.3 - Ensure proper handling of livestock. The Applicant shall ensure that all personnel are trained to be aware of the risk of naturally occurring anthrax being transmitted to humans from a diseased animal carcass. In addition, a variety of safety practices shall be followed, including livestock being handled only by trained personnel, and proper reporting, storage, and disposal of livestock carcasses.

AQ-1.3 - Reduce Fugitive Dust (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supporting eEvidence-** Please refer to pages C.9-31 through C.9-33 of the Final EIR.

6. **Impact HZ-8: Project would contribute to a cumulatively considerable hazard to the public or the environment when combined with impacts from past, present, and reasonable future projects (Class II, No Impact)**

The simultaneous uncontrolled release of hazardous materials from multiple locations causing a significant impact is unlikely due to many safeguards to prevent and control any one accidental release. A cumulative impact from accidental spills of motor vehicle fuels and transformer oil would only occur if two vehicles carrying these substances were to collide (Class II). The ~~Revised~~Proposed Project's PV modules, along with the panels from the neighboring CVSR, would result in reflective glare to passing motorists and low-flying

aircraft. However, the ~~Revised~~Proposed Project includes screening for motorists along Highway 58 and coordination with the owner of the local use air strip (Class II).

Increased human influence and travel on roadways in the Carrizo Plain increase the potential for human-caused wildfire ignitions. In addition, population growth in California Valley coupled with development of the CVSR would place increased burdens on emergency services. However, with implementation of mitigation (traffic coordination during emergencies, provision of temporary helicopter landing zones, and impact fees for fire protection services and equipment), cumulative impacts would be mitigated to less than significant (Class II).

A cumulative impact from contamination and disease vectors is limited to the areas where concurrent construction is occurring. With mitigation in place for hazardous materials, contaminated soil, standing water and trash piles, fugitive dust, and anthrax, cumulative impacts would be less than considerable (Class II).

a. **Mitigation-**

HZ-1.1 - Develop and implement site-specific spill response plan (summary text above).

HZ-1.2 - Develop and implement a hazardous materials business plan (summary text above).

HZ-1.3 - Develop and implement a hazardous waste management plan (summary text above).

HZ-1.4 - Develop and implement spill prevention, control, and countermeasures plans (summary text above).

HZ-1.5 - Use licensed herbicide applicator (summary text above).

HZ-1.6 - Ensure proper disposal or recycling of photovoltaic modules and support structures (summary text above).

AE-2.5 - ~~Install a physical barrier to m~~ Mitigate potential reflective glare (summary text above).

HZ-4.1 - Notify California Valley Airport (summary text above).

HZ-5.1 - Develop and implement a fire protection plan (summary text above).

HZ-5.2 - Ensure compliance with Industrial Operations Fire Prevention Field Guide (summary text above).

HZ-5.3 - Install electrical safety signage (summary text above).

HZ-6.1 - Coordinate traffic during emergencies (summary text above).

HZ-6.2 - Provide helicopter landing areas onsite (summary text above).

TR-1.1 - Prepare and implement traffic control and management plan (summary text above).

HZ-7.1 - Sample and test contaminated soil (summary text above).

HZ-7.2 - Prohibit standing water and trash piles (summary text above).

HZ-7.3 - Ensure proper handling of livestock (summary text above).

AQ-1.3 - Reduce Fugitive Dust (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supporting evidence-** Please refer to pages C.9-~~37~~41 through C.9-4~~30~~ of the Final EIR.

I. Land Use and Recreation (Class II)

1. **Impact RC-3: Construction or operation and maintenance activities would increase the use of established recreational facilities such that substantial physical deterioration would occur or be accelerated.** The peak construction workforce is estimated to be approximately 500 individuals. There is a potential for a portion of the ~~Revised~~Proposed Project's construction workforce to utilize the CPNM campgrounds for temporary housing. Use of the CPNM campgrounds, particularly during the winter and spring, could exceed the CPNM's maintenance and patrolling resources, which could result in a substantial physical deterioration of the CPNM's recreational facilities and amenities. The ~~Revised~~Proposed Project would result in Class II, ~~significnat~~significant but mitigable impacts in regards to the CPNM campgrounds.

   a. **Mitigation -**

      RC-3.1 - Develop and implement construction-phase CPNM camping restrictions. The Applicant shall contact the CPNM land manager (at least 90 days prior to the start of construction) to to discuss any restrictions that he or she deems appropriate to restrict or prohibit the project's construction workforce from using the CPNM's camping grounds as a source of temporary housing. The Applicant, through its hiring process, shall subsequently ensure that construction personnel are restricted or prohibited from using the CPNM camping grounds as identified by the CPNM land manager.

      RC-3.2 - Establish CPNM construction liaison. The Applicant shall give at least 30 days advance notice of the start of any construction-related activities to the CPNM land manager and BLM Bakersfield Field Office. The notification shall include the identification of a designated liaison to act as the primary point of contact for the CPNM during all phases of construction. The construction liaison shall respond to all construction-related questions and concerns communicated by the CPNM within a 72 hour period during construction.

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.10-21 and C.10-22 of the Final EIR.

2. **Impact RC-4: Construction or operation and maintenance activities would change the character of a recreational area or program, diminishing its recreational value.** Construction-related activities may be partially visible from the northern portions of the CPNM, such as Overlook Hill, and increased levels of traffic, air quality emissions, and dust and noise, as well as the presence of a large construction work force and equipment fleet in what is otherwise a remote area could diminish the recreational experience and value of the CPNM for some visitors. However, construction would not be visible to all CPNM visitors and these effects would be temporary in nature. As such, impacts related to the recreational value of the CPNM would be considered adverse but mitigable to a level of less than significant (Class II).

   a. **Mitigation** –

      RC-3.1 - Develop and implement construction-phase CPNM camping restrictions (summary text above).

      RC-3.2 - Establish CPNM construction liaison (summary text above).

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to page C.10-232 of the Final EIR.

3. **RC-6: Project would contribute to cumulative recreation impacts when combined with impacts from past, present, and reasonable future projects.** As stated above, there are no County-owned recreational facilities within or in close proximity to the ~~Revised~~Proposed Project site. Therefore, no cumulative impacts to local recreational areas would occur due to project construction. However, the CPNM is in close proximity to the ~~Revised~~Proposed Project site and is primarily accessed via Soda Lake and Seven Mile Roads. Construction-related activities from the solar projects and transmission reconductoring, primarily in the capacity of temporary road restrictions along Highway 58 (e.g., temporary lane closures or slow vehicular traffic for the transport of construction-related equipment and materials), could periodically increase the length of time needed for visitors to enter or exit the CPNM. Mitigation measures would reduce this impact to less than significant (Class II).

   Use of the CPNM campgrounds by construction workers during peak construction of the solar facilities and transmission line reconductoring could exceed the CPNM's maintenance and patrolling resources, which could result in a substantial physical deterioration of the CPNM's recreational facilities and amenities. The mitigation measures recommended would place restrictions on construction workforce camping at the CPNM and require a construction liaison to resolve issues that may occur. Implementation of these mitigations would reduce the ~~Revised~~Proposed Project's incremental contribution to cumulative impacts to less than significant (Class II).

   a. **Mitigation** –

      RC-3.1 - Develop and implement construction-phase CPNM camping restrictions (summary text above).

      RC-3.2 - Establish CPNM construction liaison (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to page C.10-27 of the Final EIR.

~~B.~~J. Noise (Class II)

1. **Impact NS-4: Routine inspection and maintenance activities would substantially increase ambient noise levels in the project vicinity above levels existing without the Project.** Operational activities associated with the ~~Revised~~Proposed Project would include employees commuting to the Project site, deliveries, visitors to the Solar Energy Learning Center, security patrols, and routine maintenance activities. Periodic noise would be generated from within the site due to security patrols and nighttime maintenance which would exceed County stationary noise standards when assessed at the Project's property line. Therefore, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to noise.

   a. **Mitigation –**

      NS-4.1 - Use smaller vehicles and/or electric vehicles for security patrols. Trucks used onsite for routine operational activities, such as security patrols, shall generate noise levels of less than 70 dBA daytime and 65 dBA nighttime at the Project's property line by using automobiles or light trucks, limiting vehicle speeds to 15 miles per hour, or less (except in cases of emergency), and/or using electric vehicles.

      NS-4.2 - Limit noisy nighttime maintenance activities. Noisy maintenance within 1,000 feet of an occupied residence shall be restricted to Monday through Friday 7:00 a.m. to 9:00 p.m. and Saturday and Sunday 8:00 a.m. to 5:00 p.m. If noise complaints are received and the maintenance activity is ongoing (i.e., longer than one day in duration at a given location), the County shall monitor noise levels at the Project's property line. Should the County's daytime (7:00 a.m. to 10:00 p.m.) maximum, impulsive, or hourly noise level thresholds be exceeded, all noise-related work shall stop until adequate noise attenuation measures are implemented to meet these thresholds. Any measure installed shall remain in good working order during the duration of the noise-making activity.

   b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

   c. **Supportive Evidence** – Please refer to pages C.11-21 and C.11-22 of the Final EIR.

K. Population and Housing (Class II)

1. **Impact PH-2: Project labor force would require housing that exceeds the supply of local housing or temporary housing facilitites.** Construction of the ~~Revised~~Proposed Project would require up to 500 daily workers during a short-term peak. While the study area vacancy rate and the availability of temporary accommodation in the area indicates that the area has the capacity to temporarily house this workforce, it would do so to the exclusion of other travelers and seasonal residents. Additionally, many of the accommodations available, such as recreational campsites, are not designed for long-term temporary residents and such use would deteriorate or degrade the facilities. Consequently, demand for temporary accommodations during construction would result

in significant impacts to the existing housing supply. Therefore, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to housing.

a. **Mitigation –**

PH-2.1 - Develop and implement Worker Housing Program. The Applicant shall coordinate with San Luis Obispo County to develop and implement a Worker Housing Program. The Program shall identify qualified temporary accommodations, set protocols for the Applicant to reserve or coordinate accommodations, and delineate guidelines to ensure that temporary accommodations are made in an appropriate manner.

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.12-5 through C.12-7 of the Final EIR.

~~3.~~2. **Impact PH-4: The project would induce substantial population growth.** The Applicant anticipates hiring its workforce from available sources within San Luis Obispo and Kern Counties to the extent practicable. However, workers from within San Luis Obispo and Kern Counties could potentially relocate to find temporary accommodation closer to the ~~Revised~~Proposed Project site, in addition to temporary workers from outside of these counties that are likely to temporarily relocate to the project area. If all the workers were to temporarily relocate to Shandon, this would represent a substantial increase in the population of Shandon and would be considered substantial population growth resulting in temporary, but significant impacts. In order to ensure the area has the capacity to temporarily house this workforce, mitigation measures would be required as well as providing other options outside of Shandon, such as the temporary construction worker accommodations onsite. Therefore, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts related to population growth resulting from worker relocation.

a. **Mitigation –**

PH-2.1 - Develop and implement Worker Housing Program. (See text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.12-8 through C.12-9 of the Final EIR.

~~4.~~3. **Impact PH-5: Contribute to a cumulatively considerable impact to population and housing when combined with impacts from past, present, and reasonable future projects.** There are several past, present, and future industrial projects, including the CVSR, perceived to negatively affect property values in combination with the ~~Revised~~Proposed Project. However, it is not possible to identify exactly how the ~~Revised~~Proposed Project's contribution, when combined with the contribution of other future energy projects, would potentially affect private property values. The effects of energy facilities on property value are only one of many factors affecting the property value, and have a generally smaller effect compared to other relevant factors that drive property values, such as neighborhood features, square footage, size of lot, and water availability. This suggests that the contribution of the

~~Revised~~Proposed Project on property values would not be considerable. As a result, the ~~Revised~~Proposed Project would result in Class III, less than considerable impacts to property values when combined with impacts from past, present, and reasonable future projects. Although not required, implementation of mitigation measures in the Visual Resources section (Section C.2), would help to reduce the cumulative visual impacts, which is one of the components perceived to affect property values.

The workforce for both the ~~Revised~~Proposed Project and the CVSR would have maximum, short-term peak workforces of 500 workers each. In a worst case scenario, approximately 5 percent of the construction workforce in San Louis Obispo County, would be needed for both solar projects. While two projects utilizing 5 percent of the total construction labor force of the study area would be considered a substantial demand, it would not be considered significant given the current unemployment rate. Therefore, the ~~Revised~~Proposed Project would result in Class III, adverse but less than significant impacts to local labor force when combined with impacts from past, present and reasonable future projects.

While the study area vacancy rate and the availability of temporary accommodation in the area indicate that the area has the capacity to temporarily house this workforce, it would do so to the exclusion of other travelers and seasonal residents. Consequently, the contribution of the ~~Revised~~Proposed Project to demand for temporary accommodations during construction would be considerable and would result in significant impacts to the existing housing supply. Mitigation measures would be required to reduce impacts to temporary housing to less than cumulatively considerable. Therefore, the ~~Revised~~Proposed Project would result in Class II, cumulatively considerable but mitigable impacts related to housing.

a. **Mitigation –**

   PH-2.1 - Develop and implement Worker Housing Program (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages C.12-10 through C.12-11 of the Final EIR.

~~B.~~L. Public Services, Utilities, and Service Systems (Class II)

1. **Impact PS-1: Project construction and operation would preclude emergency access or place demands on public services.** The ~~Revised~~Proposed Project would result in new demands on public services for the duration of construction activities. Worker commute traffic, and construction and operational activities at the site would increase the potential for accidents, fire, or other medical emergencies. The remote nature of the ~~Revised~~Proposed Project site limits the ability of the County Sheriff's Department, California Highway Patrol, and fire protection service to adequately respond to incidents at the site. The ~~Revised~~Proposed Project site plans and project design features need to demonstrate that adequate emergency access would be present onsite to aid in emergency response. In addition, the current staffing condition at the existing fire protection service in the immediate area is considered inadequate to respond to emergencies at the ~~Revised~~Proposed Project site. In order to ensure that emergency and security access to the site is made available, and adequate monies for the life of the project will be made available to the County for staffing of key public services, mitigation

measures would be required. Therefore, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts in regards to emergency access and public services.

a. **Mitigation –**

PS-1.1 - Provide and maintain emergency access onsite. The Applicant shall include and maintain the specific features to buildings, roads, and the Solar generation facility site to ensure adequate emergency access. The features shall be included in the design of the ~~Revised~~Proposed Project on all applicable construction plans.

PS-1.2 - Sheriff Department Access Review. The Applicant shall submit for review and approval to the San Luis Obispo County Sheriff's Department landscape plans and architectural elevations in relation to the following issues: access for patrol vehicles and deputies on-foot and proper illumination of entryways and parking areas.

PS-1.3 – Assure Adequate Funding for County Staffing Impacts. The Applicant shall implement measures to assure that sales and use tax revenue by the County related to the construction of the project are maximized and adequately reimburses the fiscal impact to County staffing. The Applicant will assure that the fiscal impacts to the County are adequately ~~reimumbursed~~ reimbursed by implementing ~~is mitigation measure was identified to ensure that project impacts to County services are mitigated by the guarantee of sales tax revenue. This measure will be implemented by~~ current Condition of Approval 13-(d), which requires the Applicant to enter into an agreement with the County that provides the guarantee of sales tax revenue. ~~The agreement will ensure that the economic benefits of the project can offset the project's impacts to local services such as County Fire staffing.~~

b. **Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence –** Please refer to pages C.13-7 through C.13-10 of the Final EIR.

2. **Impact PS-2: Project construction and operation would place demands on local water and solid waste facilities.** During construction of the ~~Revised~~Proposed Project, approximately 273 acre-feet per year of water would be used, while operation would use approximately 4.5 acre-feet per year. As the ~~Revised~~Proposed Project would use water from an existing well onsite and would construct its own wastewater facilities, no demands would be placed on water supply and wastewater systems. Therefore, the ~~Revised~~Proposed Project would result in Class III, less than significant impacts to water and wastewater facilities.

Solid waste generated during construction would be hauled to landfills or an approved transfer or recycling station. In accordance with San Luis Obispo County's construction debris demolition and recycling program, at least 50 percent of the project waste (by weight) must be recycled. In order to ensure that the ~~Revised~~Proposed Project construction and operation meets the objectives described in the Integrated Waste Management Act of 1989, the California Solid Waste Reuse and Recycling Access Act of 1991, and San Luis Obispo County's construction debris demolition and recycling program, mitigation measures are required. As such, the ~~Revised~~Proposed Project would result in Class II, significant but mitigable impacts with regards to solid waste.